

Abandoned Properties Policy

1. PURPOSE

The purpose of this policy is to provide a clear, consistent and transparent framework for ensuring that the local government principles are reflected in the Abandoned Properties Policy.

2. SCOPE

This policy applies to all tenants, Council Officers, Councillors, contractors, agents and assigns of Council.

This policy sets out the principles to be followed when a property is deemed abandoned. As a social housing provider under the *Residential Tenancies and Rooming Accommodation Act 2008*, Torres Strait Island Regional Council is committed to providing a supportive tenancy management service to assist tenants to successfully sustain their tenancies. Our aim is to ensure Council is pro-active in its responses to tenancy management to support tenants but also to ensure compliance with the RTA regulations.

3. LINK TO CORPORATE PLAN 2025-2030

TSIRC [Corporate Plan 2025-2030](#)

Focus Area 1: Strengthening Our Communities

1.1 Provide Suitable Public Housing

- Work with the State and Federal Governments and community to ensure that all Torres Strait Island communities have access to safe, secure and culturally appropriate housing.

Focus Area 3: A Proactive and Responsible Council

3.1 Provide Good Governance and Leadership

- Ensure responsible financial management and sustainability.
- Ensure compliance with legislative requirements and regulations, uphold the Council's legal obligations, and make ethical decisions in the best interest of the community.

4. POLICY STATEMENT

- (a) When a property is suspected of being abandoned, Council will exhaust all options in an attempt to contact the tenant to determine if the tenant:
 - (i) is absent; or
 - (ii) requests a temporary absence; or
 - (iii) A fixed term agreement can be granted to the caretaker during the absence of the head tenant.
 - (iv) requests the tenancy to be terminated.
- (b) 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) 48 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;
 - (v) If the tenant has a forwarding address, send the document to tenant; and
 - (vi) Housing Officers must explore all options to make contact with tenant before terminating the tenancy.
- (c) 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.
- (d) If the tenant disputes the abandonment notice, the tenant can lodge an application to the Queensland Civil and Administrative Tribunal.
- (e) In circumstances where there is good left behind in the property, Council will manage the disposal of goods as prescribed by the RTA.
- (f) Following termination of the tenancy, Council will allocate a new tenant in accordance with Allocation of Housing Policy.

5. REPORTING

Nil.

6. DEFINITIONS

Refer to legislation definitions.

7. RELATED DOCUMENTS AND REFERENCES

- *Local Government Act 2009*
- *Local Government Regulation 2012*
- *Housing Act 2003*
- *Housing Regulation 2003*
- *Residential Tenancies and Rooming Accommodation Act 2008*
- *RTA Regulation 2024*
- *Social Housing Policy*

REVIEW

Policy type:	☒ Council ☐ Administrative
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Responsible Officer:	Manager, Housing
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