

Overview of the *Residential Services (Accreditation) Act 2002*

The *Residential Services (Accreditation) Act 2002* (the Act) regulates boarding house style accommodation where residents rent rooms and share facilities, such as the toilet, bathroom and kitchen. The Act also regulates the provision of a food service and personal care services such as assisting residents with bathing, eating and taking medication.

The Act also covers situations where residents occupy self-contained units and receive a food service and/or a personal care service.

What is the purpose of the Act?

The Act ensures that residential services:

- protect the health, safety and basic freedoms of residents who reside in residential service accommodation
- are encouraged to continually improve their services
- support fair trading in the residential services industry.

This is achieved by ensuring that residential services are registered and accredited with the Department of Housing and Public Works (the department).

A residential service, its operator (service provider) and the premise(s) where the service operates must be registered by the department.

What is a residential service?

The Act defines a residential service as an accommodation service where a room or rooms are rented out to four or more residents where:

- each resident has a right to occupy one or more rooms, but not the whole of the premises
- rooms are not self-contained
- residents share facilities outside their room (e.g. a bathroom or kitchen).

The Act also covers situations where the rooms are self-contained units, provided residents also receive a food service and/or a personal care service.

Are there any exemptions?

Yes. Not all services renting rooms are captured by the Act. Some important exemptions include:

- student accommodation
- holiday accommodation (e.g. backpacker hostels)

- employer provided accommodation
- accredited retirement village schemes.

A detailed definition of a residential service, including exemptions, can be found at section 4 of the Act. The Act can be viewed and downloaded free of charge from www.legislation.qld.gov.au.

If you are unsure whether an accommodation service is captured by the Act, contact the Residential Services Unit (the Unit) on 07 3008 3450.

What is the role of the department?

The department, through the Unit:

- regulates the conduct of residential services through the registration and accreditation system
- encourages residential service providers to continually improve their services
- investigates complaints concerning residential services.

How does this relate to the Rooming Accommodation Act?

The *Residential Tenancies and Rooming Accommodation Act 2008* (Rooming Accommodation Act) deals with tenancy issues in residential services including the provision of a dispute resolution service. For more information regarding the Rooming Accommodation Act contact the Residential Tenancies Authority on 1300 366 311 (cost of a local call) or visit www.rta.qld.gov.au.

More information

For more information or assistance with the *Residential Services (Accreditation) Act 2002*, please contact:

Residential Services Unit
Phone: 07 3008 3450 Fax: 07 3008 5960
Email: residentialservices@hpw.qld.gov.au
Website: www.hpw.qld.gov.au/housing Post:
GPO Box 690 Brisbane QLD 4001

A copy of the *Residential Services (Accreditation) Act 2002* can be downloaded free of charge from www.legislation.qld.gov.au, or can be purchased from:

The Queensland Government Bookshop – www.bookshop.qld.gov.au

SDS Publications

Phone: 07 3883 8700 and select option 5.

This factsheet is designed as a guide only, and briefly outlines some areas of the *Residential Services (Accreditation) Act 2002*. This fact sheet is not a comprehensive statement of the law. The laws referred to are complex and various qualifications may apply to the provisions in different circumstances. You are encouraged to obtain independent legal advice if you are unsure how these laws apply to your situation.