

Information for Community Organisations



Right where you live
Better rights for residents

What is a Residential Service?

It **may** be a Residential Service if the person rents:

- A room, but shares some facilities, for example a bathroom or kitchen, with other Residents, and there are at least 3 other rooms available for rent. They might also receive food or personal care.
- A self-contained unit with a food or personal care service, and there are at least 3 other units available.
- A self-contained unit within an aged rental scheme with a food or personal care service. The service must be provided to at least 2 units and 4 people. A third party might provide the food or personal care service.

Government funded temporary, supported accommodation with case management to prevent homelessness is **not** a Residential Service under the Act.

This is not an exhaustive list and there are many other exclusions in the Act, so if you are unsure please get advice.

Can Residents work at the Service?

The amendments make it clearer that someone can do some work within the premises and still be a Resident.

An employee is still a Resident if their room is their primary place of residence. Duties may include collecting rent, cleaning or maintaining the premises as requested by the service provider.

What changes affect how the service is able to run?

Cancelled Providers starting a new service

If a Provider makes an application to start a new Residential Service, they will now need to disclose if any Residential Services they've previously run were cancelled. Justification as to why their new service should be registered will be required.

Shorter time frames for accreditation

Service Providers must now apply for accreditation within 3 months of the date they begin a Residential Service, or new level of Residential Service.

Renewing with conditions

When a Provider applies to have their Residential Service accreditation renewed, this renewal may now be contingent upon conditions. For example, a requirement that all food be labelled.

Guidelines

Guidelines may be developed for providers and published on the Department of Housing and Public Works website, and as a hard copy.

When a Sole Provider Dies

If a sole Provider dies, their personal representative may be temporarily appointed, subject to suitability requirements. If this person does not meet the requirements, an alternative will be appointed.

Amendments to the Residential Services (Accreditation) Act 2002 (QLD)

The registration and accreditation of Residential Services in Queensland is covered by the *Residential Services (Accreditation) Act 2002 (QLD)*.

Your clients may be affected by recent amendments to this Act.

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What are the changes to the Public Register?

Queensland has a public register of Residential Services. It must now include the phone or email contact of the Provider.

What about Domestic Violence shelters?

The public register can now withhold sensitive information, such as street address and phone contact details, for privately funded refuges and residential services that provide assistance to people escaping domestic violence, or if it is in the interest of the wellbeing and safety of Residents not to publish that information.

Other information may be recorded instead, for example a business address other than the refuge address.

Domestic Violence is defined in the *Domestic and Family Violence Protection Act 2012*.

Where is the Public Register?

You can find the register at <https://data.qld.gov.au/dataset/residential-services-registered-with-the-department-of-housing-and-public-works>

What are the changes to the Fire Safety Management Plan?

The provider must now have a Fire Safety Management Plan in place at all times.

What happens if a Resident passes away?

If a death occurs in a Residential Service that provides personal care the Provider must notify the Chief Executive, using the approved form, within 7 days.

Rightwhereyoulive.org.au
info@rightwhereyoulive.org.au

Need advice?

Tenants Queensland operates a free independent advice service for people who rent their home.

TQ also delivers the Qld Statewide Tenant Advice and Referral Service (QSTARS).

1300 744 263

www.tenantsqld.org.au

www.qstars.org.au

Have an inquiry about accreditation?

If you have an inquiry or complaint about a service you can contact **Regulatory Services** at the **Department of Housing and Public Works**.

07 3008 3450

residentialservices@hpw.qld.gov.au

www.hpw.qld.gov.au

Do you have a hearing or speech impairment?

If you are deaf, or have a hearing or speech impairment, contact us through the National Relay Service. For more information visit:

www.relayservice.gov.au

Do you speak a language other than English?

If you need an interpreter, please contact the Translating and Interpreting Service (TIS) on 131 450 and provide them with the number you want to call

Disclaimer: This fact sheet provides information only and is not intended to provide legal advice.