



# How to appeal for applicants of community and local government-managed housing

Are you unhappy with a decision made by the Department of Housing in relation to your application for community or local government-managed housing? If so, you may be able to appeal the decision through the department's appeals process.

## **What do you need to do?**

Before lodging an appeal you must first discuss the decision and reasons for the decision with an officer from your nearest Department of Housing office. If you are unsatisfied with the outcome of this discussion, you can appeal this decision using the appeals process.

### **You should lodge your appeal within 28 days of the decision being made.**

However, in certain circumstances appeals will be accepted outside this timeframe. There is no charge for appeals and they are treated confidentially.

To make an appeal, you need to provide written details of your concerns on an Appeal Application Form, available from any of the Department of Housing offices in Queensland, from the department's Appeals and Review Unit or the department's internet site – [www.housing.qld.gov.au](http://www.housing.qld.gov.au).

On the form, you will be asked to give details of the decision you are appealing against and why you are doing so. You should also attach copies of any documents supporting your case.

If you need assistance to complete your appeal application you should contact your local Tenant Advice and Advocacy Service (Qld) (TAASQ) worker.

## **What will happen to your appeal?**

Your application form will be sent to the department's Appeals and Review Unit in Brisbane to register the appeal. You will be sent a letter acknowledging your appeal within one week of it being received. Your appeal will be considered on the basis of the information provided in your appeal application, and a response will be provided within 28 days.

If you would like more information or have any concerns regarding the appeals process, telephone the Appeals and Review Unit on 1300 364 560.

## **What type of decisions can you appeal?**

Decisions about:

- your eligibility for housing assistance
- the type of housing you are eligible for, including the number of bedrooms, attached or detached housing
- the place or location of housing, including the suburb and access to services
- your position on the department managed combined waitlist, including:
  - the penalisation of your application for invalid rejection of an offer of accommodation
  - the cancellation of your application due to loss of contact with the department.

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## **What cannot be appealed?**

The following matters cannot be appealed through the department's appeals process:

- decisions about housing matters governed by the *Residential Tenancies Act 1994* (RTA), including rental arrears recovery procedures such as notice to leave, action to terminate a tenancy
- decisions made by the community or local-government managed housing provider around your tenancy such as rent payable and maintenance, which you can refer to the housing provider.

If you are unsure if a matter can be appealed, contact the Appeals and Review Unit.

## **Appeals process**

The information you provide with your appeal will be examined by a Manager within the department other than the original decision-maker. The Manager will determine whether the decision made was in line with departmental policy guidelines, and may change the earlier decision. Appeals and Review Unit will then provide you with a letter advising of the outcome of the appeal and the reasons for the decision.

At any time during the process, you can discuss your appeal with a team member from the Appeals and Review Unit.

## **Unhappy with the appeal decision?**

If you are still unhappy with the outcome after going through the appeal process, and you wish to have the matter examined further, you may contact:

The Queensland Ombudsman's Office  
288 Edward Street, Brisbane  
Tel: 3005 7000 or 1800 068 908

If the decision relates to obligations and responsibilities of the community or local government-managed housing provider as a landlord under the *Residential Tenancies Act 1994*, you may wish to contact:

The Residential Tenancies Authority  
33 Herschel Street, Brisbane  
Tel: 1300 366 311

## **For further information, contact:**

**Appeals and Review Unit**  
**Department of Housing**  
**GPO BOX 690, Brisbane 4001**  
**Tel: 1300 364 560**