

# How to Appeal

## Fact sheet for applicants and tenants

### For applicants of community and local government-managed housing

If you are unhappy with a decision made by the Department of Housing and Public Works in relation to your application for community or local government-managed housing, you may be able to appeal the decision.

### What types of decisions can you appeal?

Decisions about:

- your eligibility for housing assistance
- the type of housing you are eligible for
- the place or location of housing, including the suburb and access to services
- the penalisation of your application for an invalid rejection of offer of accommodation
- the cancellation of your application, due to loss of contact with the department
- the commencement date of your application.

### What types of decisions cannot be appealed through this process?

Decisions about:

- Housing matters governed by the Residential Tenancies and Rooming Accommodation Act 2008, including rental arrears recovery procedures such as notice to leave and action to terminate a tenancy.
- Decisions made by the community or local government-managed housing provider about your tenancy such as rent payable, maintenance and transfers. Housing providers funded by the department are required to have a process for reviewing decisions and resolving disputes. You should raise any concerns about your provider's decisions with your provider.

### What you need to do

Before lodging an appeal, you must first discuss your situation with an officer from your nearest Housing Services office. If you are dissatisfied with the outcome of this discussion, you can appeal the decision **within 28 days**, using the appeals process.

In certain circumstances, appeals will be accepted outside this time frame. There is no charge for appeals and they are treated confidentially.

To appeal, you need to provide written details of your concerns on an Appeal Application Form, available from your nearest Housing Services office, the department's Housing Appeals and Review Unit, or the department's internet site [www.hpw.qld.gov.au](http://www.hpw.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 completing your appeal application, you should contact your local Tenant Advice and Advocacy Service Qld (TAASQ) worker.

## What will happen to your appeal?

You will be sent a letter from the Housing Appeals and Review Unit, acknowledging your appeal, within one week of it being received.

Your application will be examined by a manager within Housing and Homelessness Services, other than the original decision-maker. The manager will determine whether the decision made was in line with departmental policy guidelines. The Housing Appeals and Review Unit will then provide you with a letter advising of the outcome of the appeal and the reasons for the decision within 28 days.

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

## What do you do if you are unhappy with the appeals decision?

If you are still unhappy after the outcome of the appeals process, you may contact:

### **The Queensland Ombudsman's Office**

Level 17, 53 Albert Street, Brisbane QLD 4000

GPO Box 3314, Brisbane QLD 4001

Telephone: 07 3005 7000

Toll free: 1800 068 908 (outside Brisbane)

Fax: 07 3005 7067

TTY: 07 3006 8174

Email: [ombudsman@ombudsman.qld.gov.au](mailto:ombudsman@ombudsman.qld.gov.au)

Web: [www.ombudsman.qld.gov.au](http://www.ombudsman.qld.gov.au)

If the decision relates to obligations and responsibilities of the community or local government-managed housing provider as a landlord under the *Residential Tenancies and Rooming Accommodation Act 2008*, you may wish to contact:

### **The Residential Tenancies Authority**

33 Herschel Street,

Brisbane QLD 4001

Telephone: 1300 366 31

### **More information**

For more information, contact your housing provider or contact us at:

Housing Appeals and Review Unit

Department of Housing and Public Works

GPO Box 690

Brisbane QLD 4001

Telephone: 1300 364 560

Email: [appealsreviewunit@communities.qld.gov.au](mailto:appealsreviewunit@communities.qld.gov.au)