



### **Rent Arrears**

Under the RTRA Act, action can only be taken against a tenant when they are seven clear days behind in their rent payments. Best practice for our agency is that we contact the tenant prior to this time and advise them of the rent payment being due. We are committed to managing the rental arrears situations and make every attempt to contact the tenant to discuss any payment of rent concerns on your behalf.

Section 280 allows our agency on your behalf to serve a breach notice to the tenant on the 8<sup>th</sup> day of arrears. Under legislation (Residential Tenancies and Rooming Accommodation Act QLD) the tenant is then given the allowed remedy period (which is seven days) to pay the rent owing (plus in most cases, an additional two days for postage if the notice is posted). We shall advise you promptly if rent defaults occur and keep you informed of the developments until there is an outcome.

If a tenant fails to remedy a breach for rent arrears (or other breach), after seeking your instructions, our agency on your behalf can then issue the tenant with a RTA Form 12 Notice to leave for failure to remedy the breach. The Notice to Leave period for rent arrears is a further 7 days; a Notice to leave for other than rent arrears is 14 days (plus two days postage if posted). This means that the tenancy will be terminated due to the breach. If the Notice to leave is withdrawn, we are required on your behalf to withdraw the notice in writing to the tenant and seek their written agreement to do so (section 333 of the RTRA Act). We will be in regular contact with you should the above situation occur.

Regrettably 'bad things can happen to good people' and by this we mean that sometimes life situations such as job loss, marriage or partnership breakdowns, deaths and other societal issues may cause people to act outside character causing them to default on their obligations. Landlord Protection Insurance is strongly recommended to protect your investment and for risk management.

Thank you

Sandy Henderson

Principal – HC Rental Solutions