



Queensland

Residential Tenancies (Objectionable Behaviour) Amendment Bill 2005



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2005

A Bill

for

An Act to amend the *Residential Tenancies Act 1994*

Residential Tenancies (Objectionable Behaviour)
Amendment Bill 2005

	The Parliament of Queensland enacts—	1
Clause 1	Short title	2
	This Act may be cited as the <i>Residential Tenancies (Objectionable Behaviour) Amendment Act 2005</i> .	3 4
Clause 2	Commencement	5
	This Act commences on a day to be fixed by proclamation.	6
Clause 3	Act amended	7
	This Act amends the <i>Residential Tenancies Act 1994</i> .	8
Clause 4	Insertion of new ch 4, pt 4, div 1A	9
	After section 187B—	10
	<i>insert—</i>	11
	‘Division 1A Neighbours	12
	‘187C Application by neighbour adversely affected by tenant’s objectionable behaviour	13 14
	‘(1) A person (the <i>applicant</i>) occupying a place near premises may apply to a tribunal for a termination order because the tenant of the premises—	15 16 17
	(a) has harassed, intimidated or verbally abused the applicant or other persons occupying, or allowed on, the applicant’s place; or	18 19 20
	(b) is causing, or has caused, a serious nuisance to the applicant or other person occupying, or allowed on, the applicant’s place.	21 22 23
	‘(2) An application under this section is called an application made because of <i>objectionable behaviour</i> .’.	24 25

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Clause 5	Amendment of s 191 (References to applications)	1
	Section 191(1) and (2), ‘part’—	2
	<i>omit, insert—</i>	3
	‘division’.	4
Clause 6	Amendment of s 212 (Objectionable behaviour)	5
	Section 212—	6
	<i>insert—</i>	7
	‘(4) If the application is made under section 187C, the tribunal may make the termination order only if the lessor has been given a reasonable opportunity to be heard in relation to the application.’.	8 9 10 11
Clause 7	Amendment of s 217 (Warrant of possession)	12
	Section 217(1)(a), from ‘to the person’—	13
	<i>omit, insert—</i>	14
	‘to—	15
	(i) if the termination order was made for an application made under section 187C—the lessor;	16 17
	or	18
	(ii) otherwise—the person in whose favour the termination order was made; and’.	19 20