

# QCAT and natural disasters

The Queensland Civil and Administrative Tribunal (QCAT) hears and decides a wide range of matters.

Following a natural disaster, some common issues may include:

- disagreements between tenants and landlords
- issues with trees or dividing fences.

Some people may also find it difficult to appear at the tribunal or Magistrates Court for their case.

## Tenants and landlords

1. Try to resolve the disagreement in person or via phone, email or letter.
2. For help with dispute resolution, contact the Residential Tenancies Authority (RTA) via 1300 366 311 or [www.rta.qld.gov.au](http://www.rta.qld.gov.au)
3. If your issue is not resolved by the RTA, you may apply to QCAT.

Some disputes are classed as urgent matters e.g. ending a lease because of hardship. You may be able to apply directly to QCAT without first going to the RTA. Contact QCAT for more information about urgent applications.

## Dividing fences

Generally, owners of adjoining properties are equally responsible for the construction and repair of the dividing fence.

1. Write to your neighbour with details of the proposed new fence or repairs including costs and method of construction. This letter is called a [notice to fence](#).
2. If an agreement is not reached one month after giving your neighbour a notice to fence, either of you may invite the other party to attend mediation (a way of settling a dispute without legal action). The Department of Justice and Attorney-General provides a free mediation service through its [Dispute Resolution Branch](#).

If you cannot resolve the dispute through mediation, you can apply to QCAT to resolve the dispute (as long as proposed construction or repairs are valued under \$25,000).

## Trees

1. Try to talk to your neighbour about the tree issue and come to an agreement.
2. If your issue is about overhanging branches, you can provide your neighbour with a [notice for removal of particular overhanging branches](#).
3. If you cannot agree, you may wish to contact a [Dispute Resolution Centre](#) to discuss free mediation options before you take any legal action.

## What if I can't appear at the tribunal?

You may be able to appear at the tribunal or Magistrates Court via phone.

Try to get written confirmation from the other party in your case that they do not object to you appearing via phone. Attach this confirmation when you apply using [Application for attendance at hearing, compulsory conference or mediation by remote conferencing](#).

## Replacing your QCAT decisions or orders

If decisions or orders issued to you by QCAT have been destroyed, you can request a free replacement. Submit a request in writing, in person or via email.

## Accessing QCAT

### Brisbane

QCAT

Level 9, Bank of Queensland Centre, 259 Queen Street, Brisbane

Business hours: 8.30am – 4.30pm (Monday to Friday)

Phone: 1300 753 228

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

Website: [www.qcat.qld.gov.au](http://www.qcat.qld.gov.au)

**Your local Magistrates Court (excluding Brisbane Magistrates Court) can also accept QCAT applications and assist with enquiries.**

### Rockhampton

Rockhampton Magistrates Court

Cnr Fitzroy & East Streets, Rockhampton

Business hours: 8:30am to 4:30pm (Monday, Tuesday, Thursday, Friday) and 8:30am to 4:00pm (Wednesday)

(07) 4938 4558

### Theodore (Biloela)

Biloela Magistrates Court

Cnr Grevillea & Melton Streets, Biloela

Business hours: 9:00am to 4:30pm (Monday to Friday)

(07) 4992 0700

### Yeppoon

21-23 Normanby Street

PO Box 2259

Yeppoon Qld 4703

Business hours: 8.30am – 4.30pm (Monday to Friday)

(07) 4939 5385