

Tenancy database orders

The Queensland Civil and Administrative Tribunal (QCAT) is committed to actively resolving disputes in a way that is fair, just, accessible, quick and inexpensive.

What is a tenancy database?

A tenancy database is a list where landlords/agents record personal information about tenants who have had problems with their tenancies.

Examples of tenancy databases are:

- [Tenancy Information Centre Australasia \(TICA\)](#)
- [National Tenancy Database](#)
- [Trading Reference Australia.](#)

Listings on tenancy databases

A person must not list a tenant on a tenancy database unless:

1. The tenant was named as a tenant in a residential tenancy agreement.
2. The agreement has ended.
3. There is a reason to register the tenant on the tenancy database:
 - unpaid rent
 - an amount owing under a conciliation agreement or tribunal order
 - an amount owing after abandonment
 - objectionable behaviour
 - repeated breaches.
4. The tenant has been given notice of the proposed listing and information into the database, and provided a reasonable opportunity to review the information to be entered.

Tribunal orders

A tenant can apply to the tribunal for removal of a tenant's name from a database, or the correction of details listed in the database. The tribunal may make the order only if it is satisfied:

1. The database includes information that is incorrect or misleading.
2. The listing is unjust, having regard to:
 - the reasons for the listing
 - the tenant's involvement in the circumstances giving rise to the reason for listing
 - the adverse consequences to the tenant because of the listing
 - any other matter.

Because the application to remove a tenant from a listing involves the exercise of discretion, the tribunal will not make a consent order unless the material filed with the consent order is enough for the tribunal to be satisfied that the listing is incorrect or unjust.

Therefore, any application to remove a person's name from a database MUST also include supporting documents such as a copy of the lease (tenancy agreement), reasons for the initial listing and a copy of the tenancy database report.

When can I apply?

You may apply to the tribunal when:

- you receive a notice that you will be added to the database
- when you have been added to the database

If the database operator does not provide a notice and the details are incorrect or unjust you may apply to the tribunal to make orders, however you may only apply within 6 months of becoming aware of the database listing.

Resources

Residential Tenancies Authority (RTA) – www.rta.qld.gov.au

Queensland Government – <https://www.qld.gov.au/housing/renting/tenancy-database/>