



**Queensland
Government**

Fortitude Valley Housing Service Centre

Lvl 7, 515 St Paul's Tce
PO Box 445
Fortitude Valley QLD 4006

4 May 2022

Telephone: (07) 3034 6500

Mr David Barker
5/25 Waverley Rd
Taringa QLD 4068

Dear David,

Termination Order and Warrant of Possession

A Termination Order and Warrant of Possession was issued on 26 April 2022 by the Queensland Civil and Administrative Tribunal (QCAT). This Warrant of Possession authorises the Queensland Police Service to enter the property known as 5/25 Waverley Rd, Taringa, QLD, 4068 and give possession of the property to the State of Queensland, through the Department of Housing and Public Works.

The Warrant will be executed by a representative of the Department at Fortitude Valley Housing Service Centre on 16 May 2022. To avoid unnecessary embarrassment, it is strongly recommended that you, and other occupants of the property, vacate voluntarily before this date.

It is our practice to inspect all properties at the end of each tenancy. You are able to take part in the inspection (a joint inspection). This can be arranged by contacting your local maintenance office as detailed in your State Tenancy Agreement.

If you have not already done so, please advise this office of your forwarding address, either residential or postal. Under the *Residential Tenancies and Rooming Accommodation Act 2008* you are required to provide this information unless you have a reasonable excuse for not doing so.

In the event that the property is not vacated voluntarily, the department will engage the Police to execute the Warrant. The department will take possession of the property, change the locks and dispose of your possessions in accordance with the *Residential Tenancies and Rooming Accommodation Act 2008*. Any costs associated with this action will be charged to your account.

Please note that the department does not provide assistance to people with an outstanding debt to the department.

Yours sincerely

Fortitude Valley Housing Service Centre

Privacy Notice

The Department of Housing and Public Works collects and retains personal information, so we may provide you with housing assistance. This information may be disclosed between partner agencies, service providers, local governments and non-governmental organisations that may be able to provide you with housing or support services. Unless authorised or required by law, your personal information will not otherwise be disclosed to any other third party without your consent. More information about the Department's privacy policy is available on our website at www.hpw.qld.gov.au.

Decision

BRISBANE CLAIM: 0000693/22

APPLICANT

DEPARTMENT OF COMMUNITIES, HOUSING, AND DIGITAL ECONOMY

RESPONDENT

DAVID BARKER

Claim Filed: 23 March 2022

Take notice that this application was heard before the Queensland Civil and Administrative Tribunal at BRISBANE on the 26 April 2022 and the following decision was made:

It is ordered that:

1. The Residential Tenancy Agreement between the parties be terminated as from midnight on the 09 May 2022 on the grounds of failure to leave.
2. A Warrant of Possession to issue authorising a police officer to enter the premises at 5 / 25 WAVERLEY ROAD TARINGA QLD 4068.
3. The Warrant shall take effect on 10 May 2022 and remain in effect for 14 days, to expire at 6:00pm on 24 May 2022.
4. The Warrant to be executed as soon as reasonably practicable after taking effect.
5. Entry under the Warrant shall only be between the hours of 8:00am and 6:00pm.

Delegate of the Principal Registrar
Queensland Civil and Administrative Tribunal



NOTE:

1. You may request reasons for a QCAT decision. However, please note, QCAT is not required to comply with a request for certain procedural decisions. You may request reasons by lodging a Request for Reasons form. The form must be lodged within 14 days of the date the decision takes effect, which is usually the date it is made (unless a later date is stated). There is no fee to request reasons.
2. You may appeal against some QCAT decisions to the QCAT Appeal Tribunal but you must first ask the Appeal Tribunal for leave (permission) to appeal. To request permission to appeal you need to lodge Form 39 Application for leave to appeal or appeal and pay the prescribed fee.

There are strict time limits to starting an appeal. In most cases, the Form 39 must be lodged within 28 days after you have received the reasons for the decision being appealed.

If the decision is a procedural decision and QCAT does not have to comply with a request for reasons, you have 28 days from the date you received the decision to lodge the Form 39.

You do not have to request reasons before lodging a Form 39.

Your appeal does not affect the operation of the original QCAT decision. However in some cases, QCAT can make an order staying (temporarily stopping) the decision taking effect until the appeal has been finalised. If you wish to apply for a stay of the QCAT decision you must lodge a Form 44 Application to stay a decision at the same time you lodge the Form 39.

For more information on requesting reasons and appeals see QCAT Fact sheet "Minor civil disputes – appeals".

For forms and more information call 1300 753 228 or visit www.qcat.qld.gov.au.

Queensland Civil and Administrative Tribunal