



Domestic and family violence

If you have experienced domestic and family violence, the law allows you to:

- move out of the property
- stay at the property and have the perpetrator (respondent) leave
- if the perpetrator must move out due to an ouster order on a DVO, the perpetrator doesn't have to pay rent anymore.

Moving out:

You may be able to end your lease early if you can no longer safely continue to live at the property. You can apply to QCAT for a termination order which will allow you to end the lease early due to domestic violence.

Staying:

If you have experienced domestic and family violence you may apply to QCAT to have the lease transferred into your name and have the perpetrator's name removed from the lease.



To do this, you must have experienced an act of domestic violence from someone who you have any of the following relationships with:

- a spousal relationship
- an intimate personal relationship
- a family relationship
- an informal care relationship.

If you lodge an application for a domestic violence order against someone, you can also apply at the same time for the Court to make an "ouster order" which requires the perpetrator to leave/ move out of the property you both currently reside at.

When QCAT makes a decision about your application to have the perpetrator removed from the lease, it will consider:

- whether you have applied for a domestic violence/ protection order
- if a domestic violence/protection order application was made, whether an order was made or is still in force
- if a protection order was made whether a condition of the order stops the perpetrator from entering or remaining at the property.

If you are in immediate danger, call 000.

If you are experiencing violence or abuse, 1800RESPECT can provide free help and support via their phone line 1800 737 732 or their online live chat at www.1800respect.org.au.

You should get permission from the landlord before you change the locks to the property.

If you need to provide evidence of domestic violence to the landlord or anyone acting for them, they are required to keep this information private, they are not allowed to tell anyone else what you tell them.

If you are listed on a Tenancy Database because you breached your rental agreement, but your breach was due to you experiencing domestic violence, you can apply to QCAT to make an order to remove your name from the Tenancy Database.

WHERE TO GET HELP



YFS Legal - Phone: (07) 3826 1599

Email: legal@yfs.org.au Web: www.yfs.org.au/yfs-legal

This Centre is accredited by



- This is general information only.
- It is not intended to give individual legal advice.
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