

# 06

## NOTICE TO REMEDY BREACH

QLD — QCAT

Residential Tenancies and Rooming Accommodation Act 2008 (Qld) —  
Section 405

*The mandatory formal step before RTA dispute resolution and QCAT — how to issue Form 11*

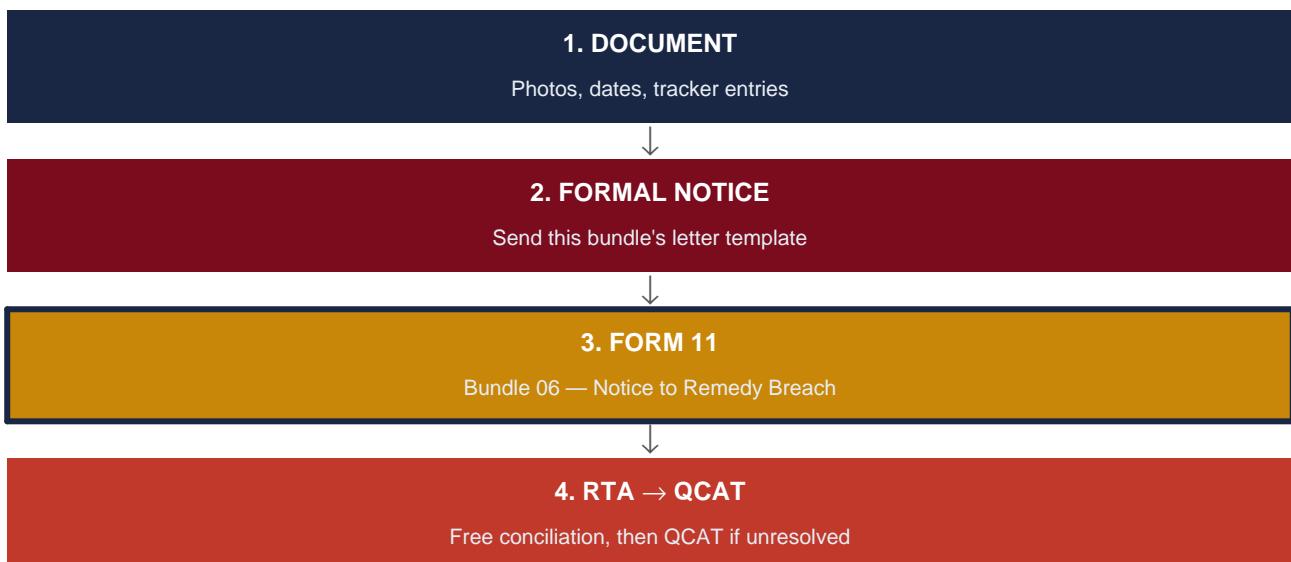
### WHEN TO USE THIS BUNDLE

Use this bundle when the lessor has failed to meet their obligations despite prior documented requests. This is your formal escalation tool — and the mandatory prerequisite before RTA dispute resolution and QCAT in most cases.

### KNOW THE LAW — NOTICE TO REMEDY BREACH (S.405, FORM 11)

Section 405 lets you issue a formal Notice to Remedy Breach (Form 11) when the lessor has failed to meet their obligations. This notice is the mandatory prerequisite before RTA dispute resolution or QCAT for most matters — though emergencies can bypass it and go straight to QCAT. Use the official Form 11, state the specific breach and section of the Act, and allow 7 clear days for the lessor to remedy it.

### HOW THE SYSTEM WORKS — YOUR ESCALATION PATH



*The highlighted box shows where this bundle fits in the journey.*

- 01 Confirm you have a documented paper trail**  
At least one or two prior written requests that were ignored or not properly addressed before issuing Form 11. RTA conciliators and QCAT will review this history.
- 02 Use the official Form 11 and cite the section breached**  
Be precise — cite the relevant section (e.g., 's.185 — duty to keep premises in good repair'). Vague descriptions weaken the notice.
- 03 Give 7 CLEAR DAYS to remedy**  
The remedy period runs from the day after service — count 7 clear days, not the day you sent it. Note the exact deadline in your Evidence Tracker.
- 04 Send via email and registered post**  
Email creates a timestamp; registered post creates delivery proof the lessor cannot dispute. Keep the tracking number.
- 05 Lodge RTA dispute resolution if not remedied**  
If the breach is not remedied within 7 clear days, apply for free RTA dispute resolution. If conciliation fails, the RTA issues a NURD and you can apply to QCAT.

## IF YOU NEED TO ESCALATE — WHAT QCAT CAN ORDER

QCAT can order the lessor to remedy the breach, award compensation, and reduce your rent retroactively. A well-documented Form 11, followed by RTA conciliation and a NURD if needed, is the foundation of a strong QCAT application.

### ★ GOOD TO KNOW — THIS IS YOUR QCAT PREREQUISITE

A Notice to Remedy Breach is required before RTA dispute resolution and QCAT will act on most lessor obligation failures. Without it on record, your path to the Tribunal is blocked — except in genuine emergencies. Do not skip this step.

### ■ CRITICAL — 7 CLEAR DAYS — COUNT CAREFULLY

The remedy period is 7 clear days from the day after service — not the day you send it, and not including the day it expires. Miscounting can invalidate your next step. When in doubt, add an extra day.

**1. COPY**

Copy the letter below into a new email

**2. FILL**Replace every **[bracketed]** field with your  
details**3. SEND**Email it — request a read receipt, save a  
copy

Fill in every **[bracketed]** field, then send via email AND registered post — request a read receipt.

**SUBJECT:****NOTICE TO REMEDY BREACH (FORM 11): [Insert Property Address]**

I am writing to formally notify you that you are in breach of your obligations under the Residential Tenancies and Rooming Accommodation Act 2008. This notice is served pursuant to Section 405 of the Act.

**1. BREACH PARTICULARS**

- You have failed to: **[State the specific duty breached — e.g., 'ensure the premises are maintained in good repair pursuant to Section 185.']**
- Date the duty was first breached / issue first identified: **[Insert Date]**

**2. HISTORY OF REQUESTS**

- Despite previous formal notifications sent on **[Date 1]** and **[Date 2]**, this matter remains unresolved. Copies of these prior requests are attached.
- This ongoing failure has materially and negatively impacted my quiet enjoyment of the property and/or the safety and habitability of the premises.

**3. REMEDY REQUIRED**

- I require this breach to be remedied within 7 clear days of the date of this notice — by **[Insert Remedy Deadline Date]**.
- Failure to remedy within this timeframe will leave me no option but to lodge RTA dispute resolution and, if necessary, apply to QCAT for orders and compensation.

**4. EVIDENCE ON RECORD**

- All evidence of this breach — dated records of prior requests, photographs, and all correspondence — is being maintained in a chronological index for RTA and QCAT proceedings.

Yours sincerely,

**[Your Full Name]**

**[Property Address]**

**[Date]**

**[Contact Number / Email]**