

## **Flood of legal problems for Queenslanders in aftermath of Tropical Cyclone Debbie**

Free legal advice is on hand for flood-affected Queenslanders as community legal centres across the state brace themselves for a wave of new enquiries.

Community Legal Centres Queensland director James Farrell said free legal services were in high demand after the 2011 Brisbane floods, 2013 Bundaberg floods, cycle Anthony, Yasi and Marcia and the same was expected in coming weeks.

According to Farrell the most challenging legal problem people faced after a natural emergency was dealing with their insurer.

"It is important that people follow insurer's proper procedures when making a claim, or there may be delays or smaller payouts," Farrell warns.

"If possible, read policy documents before contacting insurers although in some cases, these documents are lost in natural emergencies.

"Typical problems we encounter are people being unable to afford or access insurance or being 'underinsured'; insurers delaying, misrepresenting or discouraging claims; policies that exclude certain events or use technical definitions to try to escape liability; and poor communication.

"For many people it can be confronting trying to navigate complex legal processes at a time when they are traumatised or upset by the impact of a natural disaster on their home, their livelihood and their family."

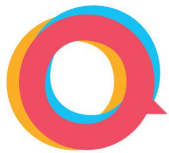
Mr Farrell said one of the most immediate problems after a natural disaster was damage to property.

"Any damage to fences is the shared responsibility of both neighbours and it is important to come to a decision about what to do together," he said.

"If neighbours can't agree, they can apply to QCAT for a decision.

"For people in rental properties, landlords must ensure that rented premises are in good repair and fit to live in.

"If a rental property is destroyed or the tenants can't continue living there due to flood or storm damage, then they are within their rights to give notice to leave."



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For those people, struggling to meet their financial commitments, the National Credit Code provides for variations to credit contracts.

Farrell advised anyone having difficulty meeting their loan repayments to talk to their lender as soon as possible for a hardship variation. If this is refused, then approach the Financial Ombudsman Service or the Credit Ombudsman Service for further help.

"In some cases, people may need to take time off work during or after a severe weather event to deal with the aftermath and in other cases, bosses may suffer loss or damage which means they have to let staff go," said Farrell.

"If people are unfairly or unlawfully dismissed, they should get legal advice as soon as possible as there may only be 21 days from the date of dismissal to make a claim."

Mr Farrell said there was an army of community legal centres across the state ready to ramp up their services in response to their communities' needs but funding continued being an issue.

"Fortunately community legal centres and other services can provide vital help to people with legal problems however access to these services will be restricted in coming months with the Commonwealth Government cutting funding by 30 per cent from 1 July," Farrell warned.

"Despite the reality that fewer people will be able to get help, community legal centres are committed to helping everyday Queenslanders with legal problems arising from flood and cyclone damage.

"It's a shame this same commitment is not shared by the Turnbull Government."

**-Ends-**

**NOTES:**

1. Community Legal Centres Queensland Inc (formerly QAILS) is the state-wide peak body representing community legal centres in Queensland. Queensland community legal centres have 40 years of service delivery experience providing free information, advice and referral, casework and representation to the community. [www.communitylegalqld.org.au](http://www.communitylegalqld.org.au)

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