

Application by a Landlord to the Victorian Civil and Administrative Tribunal

The Victorian Civil and Administrative Tribunal (VCAT) amalgamates a number of government Tribunals including the former Residential Tenancies Tribunal, which is now known as the Residential Tenancies List. The List achieves settlement or hears and makes decisions about disputes with residential tenancy agreements. This application form is for an application to the List. Further information concerning your application and VCAT hearings is available on VCAT's website at www.vcat.vic.gov.au together with access to the legislation including regulations, rules and practice notes. For further information on the List or filling out this application, call the Consumer Affairs Victoria Helpline on 1300 55 81 81.

How to apply ♦ ♦

- 1 The applicant's name must be that of the landlord or owner not the agent.

<i>If the applicant is a person (not a company)</i>	Print the given name and the family name in the first box. Make sure the family name is last. Print the name of any other person who is also the landlord. You are all applicants.
<i>If the applicant is a company</i>	Print the full registered name in box 1, then <i>Go to next question</i>

- 2 It is preferred that you present your own case to VCAT but you can have your estate agent or someone who knows about the problem and details of the tenancy represent you at the hearing. The Act allows legal representation in certain circumstances and automatically where an order for possession is sought. Ring VCAT for more information.

<i>If you are going to be represented by an estate agent</i>	Print the company's full registered name in box 2, then <i>Go to next question</i>
<i>If you are being represented by someone else</i>	Print the person's name in box 2 then <i>Go to next question</i>
<i>If you are not being represented</i>	Print NONE in box 2, then <i>Go to next question</i>

- 3 Print the full address and telephone/fax number of the applicant. It can be care of an estate agent. Print Agents/Peak User Organisation Identification Number.
- 4 Print the given name and family name of the tenant/s. They are the respondent.
- 5 Print the full address and telephone/fax number of the tenant/s. This must be the current or last known address.
- 6 Print the full street address of the rented premises.

- 7 What are you claiming? Below is a list of problems—choose one that best describes your problem and write it in box 7.

- ♦ Possession and rent
- ♦ Possession—successive breaches
- ♦ Possession—demolition; reconstruction; renovation; or premises to be occupied by the landlord and/or the landlord's family—**please indicate which one of these reasons it is**
- ♦ Possession—damage
- ♦ Possession—notice for no specific reason
- ♦ Order declaring premises abandoned
- ♦ Compensation, eg. rental arrears
- ♦ Premises occupied without licence or consent—**see section 344 of the Act and get advice from VCAT**
- ♦ Bond only (no fee payable). **You must attach a copy of bond receipt issued by the Residential Tenancies Bond Authority (RTBA) to this application**
- ♦ Bond and compensation in excess of the bond (fee payable). **You must attach a copy of bond receipt issued by the RTBA to this application**
- ♦ Other—please specify in box 7 and describe in box 8.

- 8 Please give us more information about the problem. If you need more space, print clearly on a separate piece of paper and attach it to this application.

- 9 Please indicate the amount of the bond paid by the tenant/s:

- ♦ Insert the bond number, which can be found on the receipt issued by the RTBA.
- ♦ Insert the amount paid by the Tenant/s or Department of Housing in the space indicated. If the bond was supplied jointly by the Tenant/s and the Department of Housing insert the appropriate amount in both boxes.
- ♦ If someone other than those listed supplied the bond, insert the amount against the Tenant/s only.

Please turn over the page for more instructions.



- 10** You may have sent a notice to the tenant/s about the problem. You should send copies of these with your application.

<i>If you have written material</i>	Print the number of items in box 10, then <i>Go to next question</i>
<i>If you don't have written material</i>	Print NONE in box 10, then <i>Go to next question</i>

11

<i>If VCAT has dealt with this problem before</i>	Print the reference number/s in box 11, then <i>Go to next question</i>
<i>If this is the first time you have applied to VCAT about this problem</i>	<i>Go to next question</i>

- 12** A fee must be paid with this application by one of the following methods. To find out the current fee, visit the VCAT website at www.vcat.vic.gov.au. Alternatively, call the Consumer Affairs Helpline on 1300 55 81 81 or VCAT on 9628 9800 (1800 133 055 for callers from rural Victoria).
- ◆ If mailing the application you can pay by credit card, cheque or money order made out to the Victorian Civil and Administrative Tribunal. If faxing the application to (03) 9628 9822, you can only pay by credit card. If paying by credit card, you will also need to complete a 'Payment by Credit Card' form available at www.vcat.vic.gov.au or by calling VCAT.
 - ◆ If paying in person at the Ground Floor, 55 King Street, Melbourne you can pay over the counter by credit card, cheque, money order, cash and eftpos.

- 13** Please sign your name. Estate agents should also print the name of the person signing on behalf of the landlord.

- 14** Write the date and tick the method you are using to serve the copy of the application to the tenant/s. It is recommended that you serve it by registered mail so that you have a record (keep the receipt). If you hand it to the tenant/s, make a note of the time, date and place.

- 15** Check that you have done everything:
- ◆ box 7 and 8 are filled out clearly
 - ◆ all documents are copied and are attached
 - ◆ box 13 has your signature in it.

- 16** Using the completed application form and copies of the documents you intend to rely on at VCAT:
- ◆ Send the **white** form (ORIGINAL) and copies of the documents to:

The Principal Registrar
Residential Tenancies List
Victorian Civil and Administrative Tribunal
GPO Box 5408CC
Melbourne Victoria 3001

- ◆ Send the **green** form (RESPONDENT'S COPY) and copies of the written documents to the tenant/s. If they have vacated and not given a forwarding address, send the application to the last known address. Note that failure to do so may result in VCAT dismissing your application and awarding costs against you, and
- ◆ Keep the **yellow** form (APPLICANT'S COPY) and the original documents for yourself.

What to do next...

- ◆ Wait for VCAT to send you a notice of hearing. The notice will tell you the venue, time and date you must come to the hearing. Please note: if this is an application for possession under the alternative procedure, there will be no hearing unless the tenant/s lodges an objection.
- ◆ Bring your copy of the application form and the original documents to the hearing.
- ◆ You should bring the written tenancy agreement (the lease), any photos and the condition report to the hearing.
- ◆ It also would help if you prepare notes about your problem. Then you can use these notes to present your case at the hearing.
- ◆ Bring any witness/es who can assist you to prove your case. If they are unwilling to attend, ring VCAT for more information.
- ◆ If you do not speak or understand English very well, VCAT can provide an interpreter to be with you at the hearing. Telephone (03) 9628 9800 at least 3 days before your hearing to allow sufficient time to arrange the interpreter.

How to stop your application...

- ◆ Use the withdrawal form on the back of your copy of the application form (YELLOW COPY).
- ◆ Fill out the form and send a copy to the Respondent/s.
- ◆ You must do this or the hearing may go ahead without you and costs may be awarded against you.
- ◆ Then send or fax the original to:

The Principal Registrar
Residential Tenancies List
Victorian Civil and Administrative Tribunal
GPO Box 5408CC
Melbourne Victoria 3001
Fax: (03) 9628 9822

Interstate Respondents...

- ◆ Commonwealth legislation requires applicants to take additional steps prior to serving an application where the respondent resides interstate. Please contact VCAT for further information and documents for your use or visit the VCAT website at www.vcat.vic.gov.au.

Application by a Landlord to the Victorian Civil and Administrative Tribunal

Reference number Office use only

R

1 Applicant (Landlord/s)

Given Name	Family Name	Office use only
<input type="text"/>	<input type="text"/>	<input type="text"/>
Given Name	Family Name	Office use only
<input type="text"/>	<input type="text"/>	<input type="text"/>

2 Representative (Agent)

3

Post Code

Organisation ID Number

Tel Fax

4 Respondent (Tenant/s)

Tenant A	Office use only
Given Name	Family Name
<input type="text"/>	<input type="text"/>
Tenant B	Office use only
Given Name	Family Name
<input type="text"/>	<input type="text"/>
Tenant C	Office use only
Given Name	Family Name
<input type="text"/>	<input type="text"/>

5

Post Code

Tel Fax

6 Rented Premises

Post Code

7 The application is for:

8 More details about the application are:

9 Bond Lodged

Who supplied bond
(Please fill out in the same order as names in Question 4)

Tenant A	Bond Number	\$
<input type="text"/>	<input type="text"/>	<input type="text"/>
Tenant B	Bond Number	\$
<input type="text"/>	<input type="text"/>	<input type="text"/>
Tenant C	Bond Number	\$
<input type="text"/>	<input type="text"/>	<input type="text"/>
Director of Housing	Bond Number	\$
<input type="text"/>	<input type="text"/>	<input type="text"/>
TOTAL AMOUNT PAID		\$
		<input type="text"/>

10 Documents attached

11 Previous or pending VCAT File Numbers

12 Method of Payment (refer to point 12, second page)

13 Signature

14 Date sent or given

/ / by

Hand Mail Registered mail

ORIGINAL—Attach copies of documents and send to the Victorian Civil and Administrative Tribunal

Office use only

Act section/s

Notice expiry date

/ /

Application by a Landlord to the Victorian Civil and Administrative Tribunal

Reference number Office use only

R	
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1 Applicant (Landlord/s)

<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; border-bottom: 1px solid black;">Given Name</td> <td style="width: 50%; border-bottom: 1px solid black;">Family Name</td> </tr> </table>	Given Name	Family Name	<table border="1" style="width: 100%; height: 20px;"> <tr> <td style="font-size: 8px;">Office use only</td> </tr> </table>	Office use only
Given Name	Family Name			
Office use only				
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; border-bottom: 1px solid black;">Given Name</td> <td style="width: 50%; border-bottom: 1px solid black;">Family Name</td> </tr> </table>	Given Name	Family Name	<table border="1" style="width: 100%; height: 20px;"> <tr> <td style="font-size: 8px;">Office use only</td> </tr> </table>	Office use only
Given Name	Family Name			
Office use only				

2 Representative (Agent)

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3

	Post Code
Organisation ID Number	
Tel	Fax

4 Respondent (Tenant/s)

<table style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="background-color: black; color: white; font-weight: bold; padding: 2px;">Tenant A</td> </tr> <tr> <td style="width: 50%; border-bottom: 1px solid black;">Given Name</td> <td style="width: 50%; border-bottom: 1px solid black;">Family Name</td> </tr> </table>	Tenant A		Given Name	Family Name	<table border="1" style="width: 100%; height: 20px;"> <tr> <td style="font-size: 8px;">Office use only</td> </tr> </table>	Office use only
Tenant A						
Given Name	Family Name					
Office use only						
<table style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="background-color: black; color: white; font-weight: bold; padding: 2px;">Tenant B</td> </tr> <tr> <td style="width: 50%; border-bottom: 1px solid black;">Given Name</td> <td style="width: 50%; border-bottom: 1px solid black;">Family Name</td> </tr> </table>	Tenant B		Given Name	Family Name	<table border="1" style="width: 100%; height: 20px;"> <tr> <td style="font-size: 8px;">Office use only</td> </tr> </table>	Office use only
Tenant B						
Given Name	Family Name					
Office use only						
<table style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="background-color: black; color: white; font-weight: bold; padding: 2px;">Tenant C</td> </tr> <tr> <td style="width: 50%; border-bottom: 1px solid black;">Given Name</td> <td style="width: 50%; border-bottom: 1px solid black;">Family Name</td> </tr> </table>	Tenant C		Given Name	Family Name	<table border="1" style="width: 100%; height: 20px;"> <tr> <td style="font-size: 8px;">Office use only</td> </tr> </table>	Office use only
Tenant C						
Given Name	Family Name					
Office use only						

5

	Post Code
Tel	Fax

6 Rented Premises

	Post Code

7 The application is for:

8 More details about the application are:

9 Bond Lodged

Who supplied bond
(Please fill out in the same order as names in Question 4)

<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%; background-color: black; color: white; font-weight: bold; padding: 2px;">Tenant A</td> <td style="width: 20%; border-bottom: 1px solid black;">Bond Number</td> <td style="width: 20%; border-bottom: 1px solid black;">\$</td> </tr> </table>	Tenant A	Bond Number	\$
Tenant A	Bond Number	\$	
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%; background-color: black; color: white; font-weight: bold; padding: 2px;">Tenant B</td> <td style="width: 20%; border-bottom: 1px solid black;">Bond Number</td> <td style="width: 20%; border-bottom: 1px solid black;">\$</td> </tr> </table>	Tenant B	Bond Number	\$
Tenant B	Bond Number	\$	
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%; background-color: black; color: white; font-weight: bold; padding: 2px;">Tenant C</td> <td style="width: 20%; border-bottom: 1px solid black;">Bond Number</td> <td style="width: 20%; border-bottom: 1px solid black;">\$</td> </tr> </table>	Tenant C	Bond Number	\$
Tenant C	Bond Number	\$	
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%; border-bottom: 1px solid black;">Director of Housing</td> <td style="width: 20%; border-bottom: 1px solid black;">Bond Number</td> <td style="width: 20%; border-bottom: 1px solid black;">\$</td> </tr> </table>	Director of Housing	Bond Number	\$
Director of Housing	Bond Number	\$	
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%; font-weight: bold;">TOTAL AMOUNT PAID</td> <td style="width: 30%; border-bottom: 1px solid black;">\$</td> </tr> </table>	TOTAL AMOUNT PAID	\$	
TOTAL AMOUNT PAID	\$		

10 Documents attached

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11 Previous or pending VCAT File Numbers

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12 Method of Payment (refer to point 12, second page)

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13 Signature

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14 Date sent or given

	/		/		by
Hand <input type="checkbox"/>	Mail <input type="checkbox"/>	Registered mail <input type="checkbox"/>			

RESPONDENT'S COPY—Attach copies of documents and send to the Tenant/s.

TO THE TENANT

The landlord has made an application to the Residential Tenancies List of the Victorian Civil and Administrative Tribunal. You will shortly receive a Notice of Hearing (except in the case of an application for possession under the alternative procedure) that tells you the time, date and place for the Hearing. You should attend VCAT to give your side of the story. Contact VCAT on (03) 9628 9800 or freecall 1800 133 055 (from rural Victoria) if you need advice.

Application by a Landlord to the Victorian Civil and Administrative Tribunal

Reference number Office use only

R

APPLICANT'S COPY

1 Applicant (Landlord/s)

<input style="width: 90%;" type="text"/> <small>Given Name Family Name</small>	<input style="width: 95%;" type="text"/> <small>Office use only</small>
<input style="width: 90%;" type="text"/> <small>Given Name Family Name</small>	<input style="width: 95%;" type="text"/> <small>Office use only</small>

2 Representative (Agent)

3

<input style="width: 98%; height: 26px;" type="text"/>	<input style="width: 95%; height: 26px;" type="text"/> <small>Post Code</small>
<input style="width: 98%; height: 26px;" type="text"/> <small>Organisation ID Number</small>	
<input style="width: 60%; height: 26px;" type="text"/> <small>Tel</small>	<input style="width: 60%; height: 26px;" type="text"/> <small>Fax</small>

4 Respondent (Tenant/s)

Tenant A	Office use only
<input style="width: 90%;" type="text"/> <small>Given Name Family Name</small>	<input style="width: 95%;" type="text"/>
Tenant B	Office use only
<input style="width: 90%;" type="text"/> <small>Given Name Family Name</small>	<input style="width: 95%;" type="text"/>
Tenant C	Office use only
<input style="width: 90%;" type="text"/> <small>Given Name Family Name</small>	<input style="width: 95%;" type="text"/>

5

<input style="width: 98%; height: 26px;" type="text"/>	<input style="width: 95%; height: 26px;" type="text"/> <small>Post Code</small>
<input style="width: 60%; height: 26px;" type="text"/> <small>Tel</small>	<input style="width: 60%; height: 26px;" type="text"/> <small>Fax</small>

6 Rented Premises

<input style="width: 98%; height: 26px;" type="text"/>	<input style="width: 95%; height: 26px;" type="text"/> <small>Post Code</small>
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7 The application is for:

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8 More details about the application are:

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9 Bond Lodged

Who supplied bond
(Please fill out in the same order as names in Question 4)

Tenant A	Bond Number	<input style="width: 95%;" type="text"/>	\$	<input style="width: 95%;" type="text"/>
Tenant B	Bond Number	<input style="width: 95%;" type="text"/>	\$	<input style="width: 95%;" type="text"/>
Tenant C	Bond Number	<input style="width: 95%;" type="text"/>	\$	<input style="width: 95%;" type="text"/>
Director of Housing	Bond Number	<input style="width: 95%;" type="text"/>	\$	<input style="width: 95%;" type="text"/>

TOTAL AMOUNT PAID

\$

10 Documents attached

11 Previous or pending VCAT File Numbers

12 Method of Payment (refer to point 12, second page)

.....

13 Signature

.....

14 Date sent or given

/
 /
 by

Hand
 Mail
 Registered mail

TO THE LANDLORD

This is a copy of the application for you to keep. You will shortly receive a Notice of Hearing (except in the case of an application for possession under the alternative procedure) that tells you the time, date and place for the Hearing. You should bring this copy and the original documents relating to your application to the Hearing. If you want to withdraw your application, use a copy of the form on the back of this page.

Withdrawal of Application • Victorian Civil and Administrative Tribunal

To

The Principal Registrar
Residential Tenancies List
Victorian Civil and Administrative Tribunal
GPO Box 5408CC
Melbourne Vic 3001

Fax number 03 9628 9822

Please Note: If you have faxed a Withdrawal of Application **do not** forward the original through the mail.

- I/we wish to withdraw the application. I understand that this matter cannot be brought before VCAT again except under special circumstances. Please contact VCAT.
- the renewal of proceedings.

The rented premises address being

	Post Code

The application was made on

/ /

The name/s of the applicant is/are

The name/s of the respondent on the application form is/are

I/we were given this file number for the application

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The hearing was to be held on

Date		at	Venue
	/ /		

I/we have made copies of this withdrawal and sent them to the respondents named above

Signature

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Date

/ /