

Form Number 27 (Version 3)

Queensland Civil and Administrative Tribunal Act 2009 (section 33)

Application for debt recovery proceeding – Queensland Building and Construction Commission Act 1991

Refer to attached instructions prior to
filling out this form.

For office use only

Case number:	
Date filed:	
Registry:	
Fee paid:	
Receipt number:	

PART A APPLICANT'S DETAILS**Applicant: Queensland Building and Construction Commission****Address**

	Postcode	

Contacts

()	()
<i>Preferred phone number</i>	<i>Alternative number</i>

<i>Email</i>

WARNING TO RESPONDENT/S

If you dispute this application or wish to file any counter application against the applicant, you must do so within **FOURTEEN (14) days** from the date you are given a copy of this application.

If you choose not to respond to this application the tribunal may grant the orders sought by the applicant without further notice to you. Where the applicant seeks to recover a debt, a liquidated demand of money or unliquidated damages, the tribunal's orders may include the payment of an amount of money.

PART A APPLICANT'S DETAILS

REPRESENTATIVE'S DETAILS *(if applicable)*

- ☐ Tick if you want this to be your address for notices
- ☐ Tick if you want your representative to represent you in proceedings before the tribunal *(see Part A of the instructions – you may be required to seek the tribunal's leave for this to happen by making an application under the form Application for leave to be represented)*. The tribunal may not give you leave to be represented.

Name

Company/Partnership/other

 ABN

Business Name

Address

 Postcode

Contacts

 () ()

Preferred phone number

Alternative number

Email

PART A RESPONDENT'S DETAILS

Name

Address

 Postcode

Contacts

 () ()

Preferred phone number

Alternative number

Email

Representative's details *(if known)*

Name

Company/Partnership/other

 ABN

PART A RESPONDENT'S DETAILS *(continued)***Address**

	Postcode	

Contacts

()	()	
<i>Preferred phone number</i>	<i>Alternative number</i>	<i>Email</i>

Respondent is *(please tick)*

<input type="checkbox"/>	Building contractor	
<input type="checkbox"/>	licensed	QBCC licence number <input type="text"/>
<input type="checkbox"/>	not licensed	
<input type="checkbox"/>	owner	
<input type="checkbox"/>	other <i>(please specify)</i>	

PART B GENERAL DISPUTE DETAILS**The Queensland Building and Construction Commission applies to the tribunal to recover a debt as follows (please tick appropriate box):**

<input type="checkbox"/>	payment of an amount owing	\$
<input type="checkbox"/>	other <i>(please specify)</i>	

PART C DETAILS OF WHAT YOU SEEK FROM THE TRIBUNAL

If there is insufficient space here, please attach additional pages.

1. I want the tribunal to make the following order/s:

Insert orders sought in numbered paragraphs.

2. The reasons the order/s sought should be made are:

Set out reasons in numbered paragraphs.

PART D CHECKLIST AND SIGNATURE

- ☐ I have completed all questions on the application form according to the instructions
- ☐ I have provided the correct number of copies of the application form and attachments (for the number of copies required – see the instructions).
- ☐ I have paid the prescribed fee (if applicable)
- ☐ I am ready to proceed with this application

INTERPRETER

Is an interpreter required? *The assistance of an interpreter is subject to approval by the tribunal.*

☐ Yes ☐ No

If YES, please specify language

WARNING

Section 216 of the *Queensland Civil and Administrative Tribunal Act 2009* makes it an offence for a person to knowingly give the registry documents containing false or misleading information.

Maximum penalty for such an offence – 100 penalty units.

SIGN AND DATE HERE

The information in this application is true to the best of my knowledge.

Applicant/s sign here

Date

If more than one applicant is named each applicant must sign the application.

Instructions for completing

Application for debt recovery proceeding – Queensland Building and Construction Commission Act 1991

General instructions

This form is for use only by the Queensland Building and Construction Commission (QBCC) to make an application under section 71 of the *Queensland Building and Construction Commission Act 1991*.

PART A APPLICANT'S AND RESPONDENT'S DETAILS

- Your address will be the address at which documents are given or sent to you, unless you indicate your representative's address as your address for notices.
- Any change in your address for notices must be filed in the tribunal and served on all other parties.

Representative's details

If you want a representative's address as the address for notices, please complete the representative's details and tick the box.

[LINK](#)

[Form 56 - Application for leave to be represented](#) must be filed for legal representation in the tribunal. Generally the tribunal expects people to represent themselves. It may not grant your request.

You are not required to seek leave if:

- you are a child or a person with impaired capacity
- relevant laws state that you may be legally represented.

PART B GENERAL DISPUTE DETAILS

Please tick the relevant boxes and provide details.

PART C DETAILS OF WHAT YOU SEEK FROM THE TRIBUNAL

Provide details of what orders you want the tribunal to make and why.

Copies of the application and providing copies to other parties

The application form and all attachments must be accompanied by three copies. Where there is more than one respondent, an extra copy of the application form and attachments is required for each additional respondent.

Generally, you must give a copy of the application to all parties to the proceeding as soon as practicable, and no later than seven days after the application is filed.

LINK

to: "http://
www.qcat.qld.
gov.au/__data/
assets/pdf_
e/0017/101339/
p-for-leave-to-
be-rep.pdf"

LINK

to: "http://www.qcat.qld.gov.au/___data/assets/pdf_file/0013/101083/Generic-Response-and-or-Counter-application.pdf"

LINK

Instructions for completing *(continued)*

Default decisions

The respondent may file a response to this application only within **14 days** of receiving this application. To file a response the respondent must file a [Form 36 - Response and/or Counter-application](#).

If the respondent does not file a response within 14 days, QBCC may apply to the tribunal for a default decision to make the orders sought in this application. An application to the tribunal for a default decision must include:

- evidence that the respondent has been properly served with a copy of this application; and
- supporting documents for the orders sought in this application.

For more information and application forms visit www.qcat.qld.gov.au or contact QCAT on 1300 753 228.

LINK

Applications may be lodged

In person: Queensland Civil and Administrative Tribunal, Level 9, Bank of Queensland Building, 259 Queen Street, Brisbane QLD 4000, or at any Magistrates Court outside of the Brisbane CBD.

By post: QCAT, GPO Box 1639, Brisbane 4001
If you are posting your original application and copies to QCAT, you must include a stamped self-addressed A4 envelope with your application. The tribunal will return sealed copies to you, at the address you provide.

By email: enquiries@qcat.qld.gov.au

Your information

QCAT collects your contact details for the purposes of compliance with the *Queensland Civil and Administrative Tribunal Act 2009* in relation to proceedings in QCAT. QCAT may contact you to seek your assistance in research to assist in the evaluation of the operation of QCAT. You are not obliged to participate in feedback or surveys. If you do participate no identifying particulars will be published. QCAT will not disclose your contact details or any other personal information to a third party unless required by law.