

Subject: Without Prejudice - Formal Demand for Remedial Action and Rent Compensation

Dear Sylvia,

Without prejudice, I write to you in good faith with the intent to resolve this matter amicably, without escalation to proceedings under the Residential Tenancies Act 1997 (VIC).

As previously notified in writing on multiple occasions, the severe water damage affecting the bedroom in Unit 1803 has rendered that part of the premises functionally unusable. This has substantially interfered with my ability to enjoy the premises peacefully, as protected under s.67 of the Act.

Accordingly, I make the following formal demand to be addressed without further delay:

1. Rectification Works:

A binding written commitment specifying commencement and completion dates for all necessary repairs, including plaster replacement, carpet remediation, and mould treatment where applicable.

2. Rent Compensation (30%):

I request a rent reduction of 30% commencing from 15 April 2025 until the affected bedroom is fully restored and safe for normal use. This percentage is based on the fact that 1 out of 2 bedrooms (i.e. 50% of the private quarters) has been rendered unusable for essential residential functions due to water damage, odour, and potential health hazards from prolonged dampness.

In line with sections 207(1)(c) and 210 of the Act, the Tribunal has the discretion to order rent reduction where part of the premises is unfit for occupation, regardless of whether the rental provider is at fault. The 30% requested is proportional, reasonable, and evidence-based.

3. Tenant Liability:

A written confirmation that I bear no responsibility for any of the costs associated with rectification works, as the damage has originated from common building infrastructure, which falls under the responsibility of the Owners Corporation.

If all of the above items are confirmed in writing within five (5) business days, I am prepared to consider the matter fully resolved and will continue the tenancy in good faith.

Failing this, I reserve my right to initiate proceedings before VCAT under section 452 of the Act, seeking urgent repairs and compensation for loss of amenity and breach of statutory duties.

All future correspondence regarding this matter must be in writing.

Sincerely,

Chawakorn Kamnuansil