

Summary of proofs – R202518589/00

Date of hearing – 14/08/2025

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Time line of events

16 April: Renter reported leak from the wall above the bed.
30 April: OC plumber attended, as the leak source is from the roof (common area)
10 May: Renter sent follow up email, and said the wall is with water damage, and the room remains unsuitable for normal use.
28 May: OC received quote from the trade FIXD Trade Group
29 May: PM shared renter details with OC & FIXD
29 May: FIXD & OC advised that they don't organize temp. accommodation for renter.
30 May: FIXD confirmed that only 1 x bedroom will not be accessible, and drying equipment will emit moderate noise, which can't be switched off.
3 June: Passed on \$800 rent reduction request to OC
6 June: OC advise this will not go through building insurance, as the excess is \$20k
10 June: PM follow up with OC, about the \$800 rent reduction request, as the renter about to seek resolution through VCAT
10 June: OC agreed to provide rent reduction of \$800
13 June: PM advised renter the \$800 rent credit will be applied, and the repair work will be around 7 – 12 days (Advised by FIXD). PM also passed on the offer from LL to end the lease early without penalty.
16 June: Renter advised they can provide access, for the repair. No other questions were asked. PM advised the OC the same day
18 June: FIXD confirmed that they can attend on 24 June, 8:30AM
18 June: PM advised renter (screenshot attached)
23 June: Coverage sent reminder email to renter, the day before the work
23 June: Renter replied, and mentioned "I am not refusing access, I am simply asking a question that no one has answered: where am I supposed to stay"
24 June: Trade said no one answer phone call, neither the intercom. Left the site after an hour, and sent call out invoice (as attached)
24 June: Coverage email renter to let them know the trade has left the site.
24 June: Renter replied at 10pm, and apology for the inconvenient caused, and clarified that "I have never refused access for necessary repairs".
24 June: In the same email, renter advised that this matter is now being handled through RDRV (Case RT252398)
25 June: Trade confirmed that they can revisit on 7 July at 8AM, notified renter, and sent Notice to Entry out.
27 June: Served notice of entry via registered post, for the date 7 – 9 July 2025.
27 June: RDRV application by renter has been struck out.
1 July: Renter asked some questions about the job scope, risk statement, public liability & ect, request us to reply within 24 hours. Said "No bundle, No entry, call-out fee remains fictional"
4 July: Since FIXD didn't manage to response within 24 hours, we have advised FIXD to cancel the work order as the renter made it clear that they will not provide access unless temporary accommodation has been arranged.
7 July: Emailed renter, asked them to share the email to prove that they have rejected the \$800 compensation from the OC. No reply.
11 July: NTV served to renter, requesting renter to move out by 14 July, as the property is unsafe (mould issue)
14 July: Renter applied to VCAT to challenge the NTV.
21 July: VCAT struck out the renter's application.
21 July: PM applied to VCAT for possession

Your hearing has been scheduled and requires you to attend in person unless VCAT tells you otherwise.



Contact us

✉ renting@courts.vic.gov.au

☎ 1300 01 8228 (1300 01 VCAT)

NOTICE OF HEARING

Why you are getting this notice

You are involved in a legal dispute about your rental property. VCAT is the legal authority that will make a final decision about this dispute at a hearing.

It is important that you come to VCAT to have your say. If not, we can still make a decision.

Hearing details

Hearing: In person
Date: 14 August 2025
Time: 03:00 PM
Venue: 5th Floor
55 King St
Melbourne 3000

Reference number: R202518589/00

In relation to rented premises

1803/243 Franklin Street
MELBOURNE VIC 3000

Application made by (applicant)

Ting Zhang

Application against (respondent)

Podjana Tienmon
Chawakorn Kamnuansil

Reason for VCAT hearing

the rental provider wants the renter to leave because the property is unfit for humans to live in, destroyed or damaged so much it is unsafe

This application is made under Residential Tenancies Act 1997 Sections: 322(1), 91ZL

See what these section numbers mean at vcat.vic.gov.au/rentingnotice

Have you received or sent a copy of the VCAT application?

Applicants must give a copy of the application to everyone named on this notice.

At an urgent hearing, only the urgent issues will be dealt with. Non-urgent issues, such as compensation, will be dealt with when there is more time at a later hearing.

What to do next

Get ready for the hearing. For what you must do to prepare for your hearing:

Applicants go to www.vcat.vic.gov.au/afterapplyrenting

Respondents go to www.vcat.vic.gov.au/respondrenting

For more information about preparing for your hearing, go to vcat.vic.gov.au/prepareforhearing

If you do not have the internet, call us or get legal help.

Tell us if you need support at the hearing: such as interpreter or support due to disability. Call our Service Delivery Team on 1300 01 8228 Monday to Friday from 8.30am to 4.30pm. You can also email renting@courts.vic.gov.au

For support due to family violence please email our Family Violence Support team at fvsupport@courts.vic.gov.au or call (03) 9628 9856 Monday to Friday from 9:00am to 4:30pm

If you are an Aboriginal or Torres Strait Islander, find out how we can help you by calling or texting our Koori Helpline on 0417 516 335, Monday to Friday from 8:30am to 4:30pm or by email at koori.support@vcat.vic.gov.au

Allow at least two hours on the hearing day. Plan for work, transport or parking as you may need to wait for your case to be called.

Arrive at least 15 minutes early to go through security screening and check in with VCAT staff.

At the hearing, you can speak for yourself. If you want a lawyer or representative to speak for you, they need to ask permission on the day.

Legal help contacts: Victoria Legal Aid for renters and residents (free): 1300 792 387 or legallaid.vic.gov.au
Community Legal Centres: 03 9652 1500 or fcl.org.au
Law Institute of Victoria Find a lawyer service: 03 9607 9550 or liv.asn.au/referral

Change the hearing date If you cannot attend at the scheduled time, you can ask for the date to be changed. To change the date, you need a good reason - ask us in writing at least two business days before the hearing and send documents to support your reason, for example a medical certificate. Unless we agree, the hearing will happen as shown above.

Submitting your evidence for your hearing to VCAT:

You would have received an email from VCAT which includes a link enabling you to upload your documents directly to VCAT's portal for the member to view. Submit your evidence for your hearing to VCAT via this link.

If you have not provided VCAT with an email address please contact us immediately on renting@courts.vic.gov.au to advise of your email address and ask for the link to be sent to you.

If you are attending a hearing in person at one of our VCAT venues, you must also bring a paper copy of all your documents to the hearing for the Member and all other parties. If you are referring to photos, you may wish to bring a laptop or tablet to zoom in on the photos.

Application by a Renter to the Victorian Civil and Administrative Tribunal

Reference Number: **R202518214/00**

Applicant (Renter/s)

Chawakorn Kamnuansil
Podjana Tienmon

243 Franklin St
Unit 1803
MELBOURNE VIC 3000

Bond Details			
Renter		Homes Vic.	
Bond No.	Bond Amt.	Bond No.	Bond Amt.
15733722	\$2,825.00		

Respondent (Residential Rental Provider/s)

Areal Property Hawthorn

33 Camberwell Road
HAWTHORN EAST VIC 3123

Phone: 0398188991 (BH)

Rented Premises

243 Franklin St
Unit 1803
MELBOURNE 3000

Representative Agent for Residential Rental Provider

Areal Property Hawthorn

The claim is for

Section	Description
91ZZS	challenging validity of notice to vacate - residential

Compensation amount claimed: \$0

More details about the claim are

This application challenges the validity of a Notice to Vacate dated 11 July 2025 issued by Areal Property Hawthorn. The notice constitutes retaliatory eviction under Section 91ZZE of the Residential Tenancies Act 1997 (Vic), issued in direct response to legitimate maintenance complaints regarding water damage in the bedroom wall reported on 16 April 2025. Timeline evidence shows the landlord's pattern of hostility following our VCAT application RT252398 (lodged 24 June 2025, withdrawn 27 June 2025), with the retaliatory notice issued just 14 days after case withdrawal. We seek orders declaring the notice invalid and preventing eviction based on retaliatory conduct.


Bond lodged

Who supplied bond	Bond No.	Amount
Renter:		\$2,825.00
Homes Victoria:		\$0.00
Total Amt Paid:		\$2,825.00

Previous VCAT File Numbers

RT252398

Signature



Chawakorn Kamnuansil

Application sent to residential rental provider on

14 July 2025 by Email

Addresses: mpm@email.propertytyme.com

Hearing Details

Hearing not yet scheduled

ADVICE TO PARTIES ABOUT TRIBUNAL HEARINGS

An application has been made to the Residential Tenancies List of the Victorian Civil and Administrative Tribunal. The Tribunal plans to hold a hearing about the application. You will receive a notice of hearing in the mail. It will either:

- Confirm or advise of a change of the date, time and venue of a planned hearing if that information appears above; or
- Advise you of the date, time and venue if the words 'Hearing not yet scheduled' appear above.

You have the right to appear at the hearing and present your case. Please bring to the hearing all documents and witnesses on which you intend to rely. If you fail to attend the hearing, the Tribunal may hear and determine the matter in your absence.

If you think you can resolve the dispute before the hearing, please contact the other party.

Any request for adjournment of the hearing, other than a 3 month adjournment, must be received by the Tribunal no later than 4:00pm, 2 business days before the scheduled hearing date.

Office use only

Lodged on 14 July 2025 04:26 PM
\$74.10 application fee charged.
VOL-22986

**VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL
RESIDENTIAL TENANCIES LIST
REGISTER OF PROCEEDINGS**

APPLICANT(S):

Renter

Podjana Tienmon
Chawakorn Kamnuansil

RESPONDENT(S):

Residential Rental Provider

Areal Property Hawthorn

RENTED PREMISES:

243 Franklin St Unit1803, MELBOURNE 3000

BOND NUMBER(S):

15733722

Application under *Residential Tenancies Act 1997* challenging validity of notice to vacate - residential
Section 91ZZS

VCAT finds:

1. The applicants have filed an application under section 91ZZS of the *Residential Tenancies Act 1997* challenging the validity of a notice to vacate.
2. The notice to vacate in question was given to the renter under section 91ZL of the Residential Tenancies Act 1997.
3. Section 91ZZS of the Residential Tenancies Act 1997 specifies that a renter may apply to challenge the validity of a notice to vacate given under section 91ZX , 91ZY, 91ZZ, 91ZZA, 91ZZB or 91ZZC. It does not allow a renter to challenge the validity of a notice to vacate given under section 91ZL.
4. Pursuant to section 75 of the *Victorian Civil and Administrative Tribunal Act 1998*, the Tribunal has formed the view on the material before it, that the application is misconceived.
5. The renters cannot preemptively challenge the notice to vacate. **However, the renters can still challenge the validity of the notice to vacate under section 91ZZI of the Act if the residential rental provider applies for a possession order on the basis of the 91ZL notice to vacate issued on 11 July 2025.**
6. **The Tribunal notes that if the parties can agree on an arrangement for the renters to move out for about 14 days, the repairs could be completed and the renters could return to the premises.**

VCAT orders:

1. The application is struck out with a right to apply for reinstatement.

Note: If the applicants apply for reinstatement they must provide details of why the strike out order is opposed, including a response to the findings made by the Tribunal above.



F. Gelev, Member



Residential Tenancies Application

This is a receipt of your case **RT252398** for a dispute as a **Renter** about a **Urgent Repairs** issue related to a **House, unit or apartment**

Renter details (as they appear in the rental agreement)

Applicant Type:	Individual
Full Name:	Chawakorn Kamnuansil
Phone Number:	0449962645
Email Address:	ck.chawakorn@gmail.com

Applicant Type:	Individual
Full Name:	Podjana Tienmon
Phone Number:	0450452465
Email Address:	bewty980219@gmail.com

Representative details

Are you completing this form on behalf of someone else as their representative:
No

Rental Provider details (NOT the real estate agent)

Respondent Type:	Company
Full Name:	Areal Property Group Pty Ltd

Representative details

Is this rental property managed by a real estate agency or other representative:
Yes, by a Real estate agent

Representative Name:	Areal Property Group Pty Ltd
ABN:	40645223212
Phone Number:	03 9818 8991
Email Address:	sylvia.hao@areal.com.au

Dispute details

Rental premises:

33 Camberwell Rd, Hawthorn East, VIC, 3123

Urgent repair details

Have you raised the issue(s) in writing with your Rental Provider or real estate agent:
Yes

Uploaded documents: 19 conversations saved on Sun Jun 22 2025.pdf

Select the issue(s) with the property:

Flooding or serious flood damage:

Water damage discovered on 16 April 2025 in bedroom above bed area. Wall bulge appeared and spread rapidly from ceiling to floor within 24 hours. Source identified as hot water system leak in ceiling on 28 April 2025. Bedroom has been unusable for over 2 months due to persistent moisture, mold growth, structural damage, and safety concerns. Complete remediation including wall restoration and carpet replacement has not been completed.

Property Propdoes not meet?minimum standards:

Bedroom fails to meet minimum standards under Residential Tenancies Act due to: (1) Unusable sleeping area for 2+ months, (2) Persistent moisture and mold creating health hazards, (3) Structural damage compromising safety, (4) Inadequate ventilation causing ongoing damp conditions. Property manager has failed to restore habitability within reasonable timeframe despite multiple requests.

Water services (burst):

Hot water system leak in ceiling identified on 28 April 2025 by plumber. Initial leak caused extensive water damage to bedroom wall and flooring. While source leak reportedly fixed, internal damage including wall restoration, mold remediation, and carpet replacement remains incomplete. Water damage continues to impact habitability of bedroom.

Unsafe or insecure fault or damage in the property: including?pests, mould or damp?caused by or related to the building structure:

Ongoing mold growth and damp conditions in bedroom creating health hazards. Structural wall damage from water ingress compromises safety. Persistent musty odors and poor air quality documented in medical certificate from Era Health dated 23 June 2025. Bedroom remains uninhabitable due to safety and health concerns from unresolved water damage.

Steps taken to resolve the issue:

Water damage was first reported on 16 April 2025. Property management was transferred from Hilary Ho to Sylvia Hao on the same day without addressing the urgent issue. Multiple follow-up emails were sent on 20 April, 23 April, and throughout May 2025. A plumber identified the source as a hot water system leak on 28 April 2025, but complete repairs including wall restoration, mold remediation, and carpet replacement have not been completed. The bedroom remains unusable for over 2 months. Repairs are now scheduled

for 24 June 2025 at 8:30 AM with no alternative accommodation provided.

Have you raised the issue(s) in writing with your rental provider or real estate agent:
Yes

How do you want this dispute to be resolved:

1. Immediate provision of alternative accommodation during repair period
2. Compensation for rent paid while bedroom was unusable (approximately \$1,400-1,500 per month for 2+ months)
3. Complete restoration of property to habitable condition
4. Protection orders preventing retaliation
5. Assurance that all future repairs will be completed within reasonable timeframes
6. Compensation for stress, inconvenience, and health impacts as documented by medical certificate

I want VCAT to redirect my rent payments into a Rent Special Account until repairs are completed

Supporting documents

Rental agreement:	Residential Rental Agreement [2024-12-23] 1803_243 Franklin St Melbourne VIC 3000.pdf
Evidence:	3.0 Rent receipts.jpeg, 1.0Email Evidence Summary.pdf, 0.0 Cover Message.pdf, Orders Requested.pdf, Emergency Statement.pdf, 1.3MERGE GMAIL.pdf, 1.2Sumary.pdf, 5.0 Doctor's letter from Era Health.pdf, 1.1Email Evidence - Unit 1803 Rental Dispute.pdf

Acknowledgment

By submitting this form, I understand and acknowledge that:

- ✓ To the best of my knowledge, all information provided in this application is true and correct
- ✓ An RDRV application is an application to VCAT
- ✓ It is an offence under section 136 of the Victorian Civil and Administrative Act 1998 to knowingly give false or misleading information

Full name of person completing this form

Chawakorn Kamnuansil

Date of Acknowledgement

24/06/2025

ORDER

**VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL
RENTAL DISPUTE RESOLUTION VICTORIA**

Proceeding no: RT252398

APPLICANT(S): Chawakorn Kamnuansil , renter
Podjana Tienmon , renter

RESPONDENT(S): Areal Property Group Pty Ltd, rental provider

OTHER INFORMATION (if applicable): Relevant legislation: *Residential Tenancies Act 1997* (Vic) section(s) 73

Rented premises: 33 Camberwell Rd, Hawthorn East, VIC, 3123

ORDERS MADE BY: M Taylor, delegate of the Principal Registrar

DATE ORDERS MADE: 27 June 2025

This document contains important information about your case. It includes instructions about what you need to do and may set time limits that need to be followed.

Background and findings

This proceeding has been processed by the Early Resolution Team.

The Tribunal records that the parties have reached a settlement.

Orders

The proceeding is struck out.

The applicant has a right to seek reinstatement.



M Taylor, delegate of the Principal Registrar

NOTICE TO VACATE TO RENTER OF RENTED PREMISES

INFORMATION FOR RENTERS

1. This is a notice to vacate. **It tells you that the residential rental provider (rental provider) wants you to move out by a certain date.** You can find details of this date in clause 10 "Termination date" below.

2. **Challenging this notice** - You may be able to challenge this Notice at the Victorian Civil and Administrative Tribunal (VCAT). Reasons to challenge a notice include:

- you believe you were given this notice due to unlawful discrimination or because you tried to exercise your rights as a renter; or
- you believe it was not given to you properly; or
- you disagree with the reason given or the information in the form is incorrect or incomplete; or
- you have experienced family or personal violence and this caused the behavior listed in the notice to vacate. In this case, you should apply to VCAT within 30 days after the notice has been given.

Specific timeframes may apply to certain reasons to challenge a notice. You may also challenge the validity of the notice if the rental provider applies to VCAT for a possession order.

You should seek advice if you are considering challenging a notice to vacate.

3. Unpaid Rent

If you received a notice because you have not paid your rent -

- If you pay all of the unpaid rent on or before the termination date in the notice, this notice has no effect.
- However, this does not apply if you have been given four earlier notices to vacate for rent arrears within a twelve-month period that starts either on the date your agreement commenced or the anniversary of that date.
- You can find out more about this type of notice to vacate on the Consumer Affairs Victoria website.

4. **Possession orders and warrants** - Rental providers must give you the appropriate notice to vacate before they apply to VCAT for a possession order.

If you do not vacate on the date stated in the notice, the rental provider may apply to VCAT asking for an order requiring you to leave (a possession order). VCAT will notify you of a hearing date that you can attend. You are encouraged to attend the hearing.

At the hearing, VCAT decides whether the rental provider was entitled to give you a notice to vacate. VCAT will make a possession order if it is satisfied that it is reasonable and proportionate to do so. VCAT may consider whether the notice to vacate was given in response to the act of a person who has subjected you to family or personal violence. It may also consider whether you can comply with a payment plan for any rental arrears, if applicable.

VCAT will decide if you must leave the property and on what date that should occur. You may ask for more time in the property if you will be in hardship. Rental providers cannot personally use force to remove you if you refuse to leave the property. Only Victoria Police can carry out a forcible eviction, and only when they are acting on a VCAT order (a warrant for possession).

5. **Ending the residential rental agreement earlier** - In some cases, you may be able to end the residential rental agreement (rental agreement) earlier than the termination date in the notice to vacate, if the notice is given for one of the following reasons:

Repairs or renovations; demolition; change of use of premises; occupation by the rental provider or their family; the premises are to be sold; the premises are required for a public purpose; the renter no longer meets the eligibility criteria; or in the case of a fixed term rental agreement, to specify a termination date that is on or after the date of the end of the initial fixed term of the agreement.

To notify the rental provider, use a Notice of intention to vacate form and provide at least 14 days notice.

6. **Seeking advice** - If you think you have grounds to challenge a notice to vacate at VCAT you should seek advice immediately by contacting one of the community legal organisations listed on the Consumer Affairs Victoria website. For further information visit the renting section of the Consumer Affairs Victoria website at consumer.vic.gov.au/renting or call **1300 558 181**.

NOTICE TO VACATE

7. Address of rented premises

1803/243 Franklin Street, MELBOURNE VIC 3000

8. Renter's Details (include the name of each renter who is a party to the residential rental agreement)

Chawakorn Kamnuansil

Podjana Tienmon

9. Rental provider's details

I am giving you this notice as the residential rental provider

Full name of Rental provider (this cannot be the agent's name):

Ting Zhang

Rental provider's address for serving documents (this may be the agent's address)

33 Camberwell Road, HAWTHORN EAST VIC 3123

Contact details

Business hours: 0398188991 (BH)

After hours:

Email address: info-mpm@areal.com.au

10. Termination Date

The termination date must allow for:

- the minimum notice required under the **Residential Tenancies Act 1997** (the Act); and
- the proposed method of delivery and the date the renter is expected to receive the notice.

The minimum number of days' notice required under the Act is 0.

I request that you vacate on or before the following termination date: 14 July 2025

Note: If you want to challenge this notice you should seek legal advice as soon as possible.

11. Reason for notice

- **The rental provider must select the relevant reason, section number and the minimum notice required under the act.**
- **The rental provider must also explain why the notice has been given. It is not enough to quote just from the Act or from the reasons on the information sheet; this must be accompanied by specific details.**
- **VCAT may find a notice to vacate invalid where it does not provide enough details or is not accompanied by the required documentary evidence.**

I am giving you this notice for the following reason:

Section 91ZL Unsafe premises

The premises are unfit for human habitation or have been destroyed totally, or to such an extent as to be rendered unsafe.

A roof leak from common property caused water to enter the bedroom, resulting in swollen plaster, bubbling paint, and visible mould. On 23 May 2025, contractor FIXD Trade Group inspected and confirmed the room is unsafe. Urgent mould remediation is required, including sealing the room, chemical treatment, and drying using industrial equipment. Drying is expected to take 7 days, followed by reinstatement of plaster and painting, with the full process taking up to 14 days.

The property will be unsafe and unsuitable to occupy during this time due to noise, equipment use, and health risks. Despite multiple written requests, the renter has refused access, preventing critical repairs.

This Notice to Vacate is issued to allow urgent works and restore the property to a habitable standard. The

renter is required to vacate by 14 July 2025.

In many cases this notice must be accompanied by documentary evidence. For information on documentary evidence go to www.consumer.vic.gov.au/ntv

Is documentary evidence attached? Yes

Please provide details of the evidence attached:

Message Thread Franklin Street (PDF)

This includes a detailed email thread between the managing agent, contractor (FIXD Trade Group), and the Owners Corporation. It provides:

Confirmation of mould presence and safety concerns

Scope of remediation works (drying, sealing, chemical treatment)

Estimated timeline for drying (7 days) plus reinstatement

Statement that the property is unsafe and inaccessible during the works

Contractor recommendation for the tenant to vacate

12. Delivery of this notice

- The notice period begins the day after the renter is estimated to receive this notice.
- If sending by post, the rental provider must allow for the delivery time in calculating the proposed termination date.
- If sending by registered post, the rental provider should keep evidence of the mail delivery method used to send this notice.

This notice was sent on 11 July 2025

This notice will be delivered

by email (if consent has been provided by the renter)

Renter's email address: bewty980219@gmail.com

ck.chawakorn@gmail.com

13. Signature of *rental provider/*agent



Sylvia Hao

*delete whichever is not applicable.

Date of notice: 11 July 2025

Notice number: 5289883

Email - Notice to vacate - 1803/243 Franklin Street, Melbourne VIC 3000

Report created: 11/08/2025

Detail

Created on	11/07/2025	Sent on:	11/07/2025
Status	Opened	Message Type	Email
Recipient:	Chawakorn Kamnuansil (ck.chawakorn@gmail.com)		

Attachment

Filename	Created on	Size
NOTICE TO VACATE U1803 243 FRANKLIN ST.pdf	11/07/2025 5:10 PM	17 kb
Message Thread Franklin Stpdf.pdf	11/07/2025 5:10 PM	101 kb



Dear Chawakorn

I am writing to inform you that the owner of your rental property has directed us to issue the attached notice. This serves as an official notification to vacate the premises located at 1803/243 Franklin Street, Melbourne VIC 3000

Notice Details:

- **Reason for Notice:** Unsafe premises
- **Required Vacate Date: 14 July 2025**

Shortly, you will receive a separate email from us with comprehensive instructions regarding vacating the property, finalising payments, and key return procedures.

Should you have any questions or need any further clarification regarding this notice, please don't hesitate to contact me. Your cooperation and acknowledgment of this notice are greatly appreciated.

We are here to support you through this transition and ensure that the process is as smooth and amicable as possible.

Kind Regards,
Sylvia Hao
Relationship Manager
sylvia.hao@areal.com.au
0420 675 561

If you have any feedback regarding my service, please feel free to contact my manager.

Jamie Ong (Head of Property Management) jamie.ong@areal.com.au

DISCLAIMER & WARNING. This correspondence and the information contained in this and associated e-mails are confidential and were only intended for the exclusive use of the addressee(s). If you have received this e-mail in error, any use, copying or inference with this information is unauthorized and prohibited and please immediately delete it and any related attachments or emails from your system and its related sub system and notify the sender. You must never copy, disclose, make conclusions and other information in this message that do not relate to the business of the Areal Property and shall be understood as neither given nor approved or agreed by it. Although Areal Property has taken reasonable precautions to ensure no viruses are present in this e-mail, Areal Property cannot accept responsibility for any loss or damage arising from the use of this e-mail or attachments.

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Application by a Residential Rental Provider to the Victorian Civil and Administrative Tribunal

Reference Number: **R202518589/00**

Applicant (Residential Rental Provider/s)

Ting Zhang

Representative (Agent)

Areal Property (Mpm) Pty Ltd

33 Camberwell Road
HAWTHORN EAST VIC 3123

Org ID: 3701697

Phone: 0398188991

Fax:

Respondent (Renter/s)

Chawakorn Kamnuansil
Podjana Tienmon

1803/243 Franklin Street
MELBOURNE VIC 3000

Rented Premises

1803/243 Franklin Street
MELBOURNE 3000

The claim is for

Section	Description
322(1),91ZL	possession - unfit or unsafe

Compensation amount claimed: \$2825

More details about the claim are

We are claiming the full bond amount of \$2,825 due to denied access to the property. As we cannot determine the extent of any damage or cleaning required, we seek the full bond to cover potential costs. Further details and evidence will be provided once access is granted.

Bond lodged

Who supplied bond	Bond No.	Amount
Renter:	15733722	\$2,825.00
Homes Victoria:		\$0.00
Total Amt Paid:		\$2,825.00

Previous VCAT File Numbers

Signature



Sylvia Hao

Application sent to renter on

21 July 2025 by Email

Addresses:

ck.chawakorn@gmail.combewty980219@gmail.com

Hearing Details

Hearing not yet scheduled

ADVICE TO PARTIES ABOUT TRIBUNAL HEARINGS

An application has been made to the Residential Tenancies List of the Victorian Civil and Administrative Tribunal. The Tribunal plans to hold a hearing about the application. You will receive a notice of hearing in the mail. It will either:

- Confirm or advise of a change of the date, time and venue of a planned hearing if that information appears above; or
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You have the right to appear at the hearing and present your case. Please bring to the hearing all documents and witnesses on which you intend to rely. If you fail to attend the hearing, the Tribunal may hear and determine the matter in your absence.

If you think you can resolve the dispute before the hearing, please contact the other party.

Any request for adjournment of the hearing, other than a 3 month adjournment, must be received by the Tribunal no later than 4:00pm, 2 business days before the scheduled hearing date.

Office use only

Notice ID 5289883 **Notice Expiry Date** 14/07/2025

Lodged on 21 July 2025 03:29 PM

\$74.10 application fee charged.

Message Thread - VCAT Application – Possession of Property (Ref: R202518589/00)

Report created: 11/08/2025

Detail

Property:	1803/243 Franklin Street, Melbourne VIC 3000		
Date:	21/07/2025	Last message on:	21/07/2025
First response on:		Minutes to respond:	
Status:	Completed	Task Type:	Task
Sent to:	Sylvia Hao	Sent on:	22/07/2025

Message

Subject:	VCAT Application – Possession of Property (Ref: R202518589/00)		
Created on:	21/07/2025	Message type:	Received Email
From:	Sylvia Hao - Areal Property Hawthorn (MPM) (MPM@email.propertyme.com)		



Dear Chawakorn Kamnuansil and Podjana Tienmon,

I hope you are both well.

As previously communicated, we issued a Notice to Vacate requiring the return of keys by 14 July 2025. As the keys have not been returned and possession of the property has not been granted, we have now submitted a VCAT application (Ref: R202518589/00) to request possession of the premises, in accordance with the owner's instructions.

Please find attached the VCAT application form and a copy of the Notice to Vacate for your reference.

Should you have any questions or wish to discuss this matter, feel free to contact me.

Kind regards,

Sylvia Hao
Relationship Manager

M 0420 675 561

P 03 9818 8991

A 33 Camberwell Road, Hawthorn East VIC 3123



If you have any feedback regarding my service, please feel free to contact my manager.

Jamie Ong (Head of Property Management) jamie.ong@areal.com.au

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FRA

DISASTER RECOVERY EXPERTS



24/7 EMERGENCY RESPONSE | 1300 667 692

PHOTO REPORT

FIXD Trade Group

Site Contact: Chawakorn Kamnuansil & Podjana Tienmon
Site Address: 243 Franklin Street
Melbourne VIC 3000
Job No: 418092
Order No.:
Project Mngr: Steven Bonfa
Date: 20/05/2025

REPORT

Work Order Request Details

FRA attended site to complete the required restoration works following reported water damage to the property.

Initial Inspection Findings

Date of Loss: 20/04/2025

Advised Cause of Loss: Leak from above bedroom ceiling

Date of Inspection: 19/05/2025

Category of Loss: Category 2

Class of Loss: Class 2

Observed Pre-Existing Conditions: N/A

Services Performed:

- It was explained by the tenant that the cause was a leak from above the bedroom, tenant is unsure of the source of loss.
- Technicians completed thorough inspection of the affected areas and found the following:
 - Visible bubbling and warping of the plaster wall behind the bed.
 - Visible swelling of the bed frame, FRA is unable to determine if this is related to the event.
 - Minor microbial activity present on the skirting boards behind the bed.
 - Visible microbial activity present behind the plant along the external wall, FRA is unable to determine if this is due to the event.
 - Tenant advised a strong malodour is present so they have been running dehumidifiers to neutralise the smell. No noticeable odour was present upon FRA attendance.
 - Visible water stains present on the plaster ceiling and wall lining.
 - Carpet is frayed and wrinkled, it is unlikely that this has been caused by the event.
- Technician completed:
 - Conducted property assessment and room measurements of the affected areas.
 - Performed thermal imaging of the affected areas.
 - Performed moisture readings which indicated all building materials are within a dry standard.

Affected Areas:

Affected Area	Measurements (L x W x H)	Floor Type	Disposition
Bedroom	3.5m x 3.1m x 2.4m	Carpet	Restorable



PHOTO REPORT

Moisture Readings:

Area	Dry Standard	Wall/Skirting	Ceiling	Sub-floor	Floor Covering
Bedroom	16%	7.9%	13.3%	10.3%	

Hygrometer Readings:

Location	Humidity (Percentage)	Temperature
Internal	49.5%	21.0°C

Further Action Required

- FRA recommends the removal of the impacted materials;
 - Plaster wall lining from floor to ceiling high.
 - Plaster ceiling lining, approximately 2sqm.
 - Skirting boards behind the bed and along the external wall.

1 -Water Damage

Site Attendance 19.5.25



Carpet Damage



Carpet Damage



Internal RH Temp



PHOTO REPORT



Microbial Activity



Microbial Activity



Minor Microbial Activity



Moisture Reading, Carpet



Moisture Reading, Ceiling



Moisture Reading, Wall



PHOTO REPORT



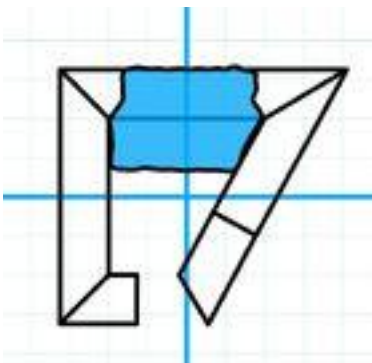
Moisture Reading, Wall



Moisture Reading, Wall



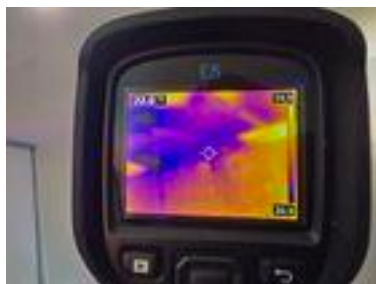
Moisture Reading, Wall



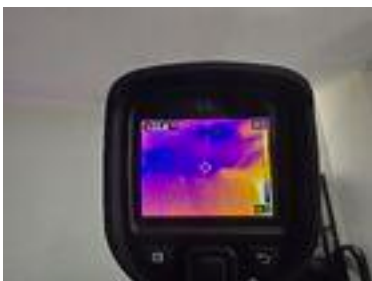
Mud Map



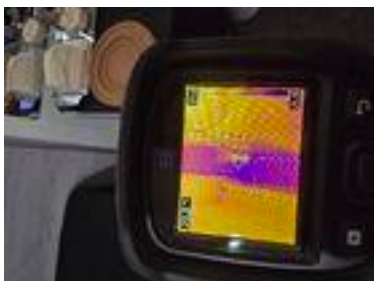
Thermal Imaging



Thermal Imaging



Thermal Imaging



Thermal Imaging



Thermal Imaging



PHOTO REPORT



Water Damaged Bed-Frame



Water Damage



Water Damage



Water Damage



Water Damage



Water Damage



PHOTO REPORT



Water Damage



Water Damage



Water Stains



TAX INVOICE

ABN: 65 649 347 115 | ACN: 649
347 115

Blu Projects Pty Ltd
PO BOX 4
Ringwood East, Victoria 3135
Australia

0401579930

BILL TO
Owners Corporation
PS628109BC/Highrise Strata
PO BOX 162
South Melbourne, Victoria 3205
Australia

AP@highrisestrata.com.au

Invoice Number: 3295

Invoice Date: June 24, 2025

Payment Due: July 24, 2025

Amount Due (AUD): \$711.70

Services	Quantity	Rate	Amount
Mould Remediation Site: 1803/243 Franklin Street Melbourne VIC 3004 -Attend site to commence full day repairs as per schedule. No access by the Renter or REA provided. -Minimum labour charge applies.	1	\$334.00	\$334.00
Electrical Service Site: 1803/243 Franklin Street Melbourne VIC 3004 -Attend site to commence repairs as per schedule. No access by the Renter or REA provided. -Minimum labour charge applies.	1	\$313.00	\$313.00



TAX INVOICE

ABN: 65 649 347 115 | ACN: 649
347 115

Blu Projects Pty Ltd
PO BOX 4
Ringwood East, Victoria 3135
Australia

0401579930

Subtotal:	\$647.00
GST 10%:	\$64.70
<hr/>	
Total:	\$711.70
<hr/>	
Amount Due (AUD):	\$711.70

Notes / Terms

The best compliment is a recommendation!

Thank you for your business!

Blu Projects Pty Ltd
BSB: 013-259
ACC: 429314862

*Please Quote Invoice Number on Transfer.

This Payment is a payment claim under the Building and Construction Industry Security of Payments Act 2002.

We reserve the right to add any debt collection and/or legal fees that have been incurred from the process of obtaining full payment of this invoice.

Carpentry, Gardening, Landscaping, Rubbish Removal, Decks, Pergolas, Cleaning, Electrical & Plumbing

Powered by  wave

Page 2 of 2 for Tax Invoice #3295

Message Thread - FW: RDRV - Case RT252398 - 33 Camberwell Rd, Hawthorn East, VIC, 3123

Report created: 11/08/2025

Detail

Property:

Date:	11/08/2025	Last message on:	11/08/2025
First response on:		Minutes to respond:	
Status:	Open	Task Type:	
Sent to:	Shaun Young	Sent on:	

Message

Subject:	FW: RDRV - Case RT252398 - 33 Camberwell Rd, Hawthorn East, VIC, 3123		
Created on:	11/08/2025	Message type:	Received Email
From:	Shaun Young (shaun.young@areal.com.au)		

Kind Regards,

Shaun Young
Relationship Manager

0492 847 287
shaun.young@areal.com.au
03 9818 8991
33 Camberwell Road Hawthorn East VIC 3123
www.areal.com.au

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From: Johnson Tan <johnson.tan@areal.com.au>
Sent: Monday, 11 August 2025 3:45 PM
To: Shaun Young <shaun.young@areal.com.au>
Subject: FW: RDRV - Case RT252398 - 33 Camberwell Rd, Hawthorn East, VIC, 3123

Kind Regards,

Johnson Tan
Senior Relationship Manager - Coverage

[0420 846 041](tel:0420846041)
johnson.tan@areal.com.au
[03 9818 8991](tel:0398188991)
33 Camberwell Road Hawthorn East VIC 3123
www.areal.com.au

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From: Johnson Tan
Sent: Tuesday, 1 July 2025 4:17 PM
To: Chawakorn Kamnuansil <ck.chawakorn@gmail.com>
Cc: CSV-VCAT-Cases (CSV) <Cases@courts.vic.gov.au>; Areal Property MPM <mpm@email.propertyme.com>; bewty980219@gmail.com
Subject: RE: RDRV - Case RT252398 - 33 Camberwell Rd, Hawthorn East, VIC, 3123

Hi Matthew,

We would like to bring to your attention that over the past few weeks, we have made every reasonable effort to coordinate with the Owners Corporation (OC) and the appointed contractor, FIXD, to facilitate essential repair works at the property. This is now our second attempt to proceed with the repairs. To clarify, all relevant parties – including the OC, FIXD, our agency as the managing agent, and the rental provider are fully committed to commencing and completing the necessary repairs as promptly as possible.

We are more than willing to provide any further information the renter may reasonably request to facilitate cooperation. However, we respectfully request that VCAT take into account that we are NOT the party impeding progress.

Hi Chawakorn,

Please refer to below [response in blue](#), as I have communicated with FIXD prior to this email. I will get the remaining requested details from FIXD, but I can't guarantee that they will reply within 24 hours. Given that coordinating this repair requires the involvement of multiple parties and significant resources, your cooperation is not only appreciated but essential to ensure the work can proceed without further delay. Thank you.

From: Chawakorn Kamnuansil <ck.chawakorn@gmail.com>
Sent: Tuesday, 1 July 2025 3:08 PM
To: Johnson Tan <johnson.tan@areal.com.au>
Cc: CSV-VCAT-Cases (CSV) <Cases@courts.vic.gov.au>; Areal Property MPM <mpm@email.propertyme.com>; bewty980219@gmail.com
Subject: Re: RDRV - Case RT252398 - 33 Camberwell Rd, Hawthorn East, VIC, 3123

Dear Johnson,

Your three Section-86 notices, lodged by registered post on 27 June 2025, seek entry at 08:00 AM on 7, 8 and 9 July—only ****12 days**** lead time—and leave the “Details attached” box unchecked. Entry therefore remains conditional.

SEND WITHIN 24 HOURS

1. Contractor legal name, licence number & 24-hour mobile – [Pending FIXD's reply](#)
2. Day-by-day work scope (rooms, tasks, time estimates) for the full 7-day schedule [The first stage of the repair involves reducing the moisture levels in the affected bedroom, as outlined in the Notice of Entry. During this drying process, the contractor will require daily access to the room in order to monitor and record moisture readings. At this stage, they are unable to provide specific time estimates for this phase, as the duration will depend on how quickly acceptable moisture levels are reached. Once the area has dried sufficiently, they will proceed with the necessary repair work. Please note that because the contractor has not yet assessed the current site conditions in full, they are unable to provide a definitive timeline or scope for the repairs at this time.](#)
3. Risk statement – water / power interruptions & noise levels - [Pending FIXD's reply](#)
4. Public-liability / PI insurance certificate - [Pending FIXD's reply](#)
5. “Tax invoice.pdf” ****and**** the alleged “tenant-confirmation” screenshot [FIXD has been engaged by the Owners Corporation, as the source of the leak originates from a common area. The OC will cover the cost of the repairs once the work is completed. At this stage, FIXD is unable to provide a quote, as they have not yet been able to assess the current site conditions in detail. Could you please clarify what you mean by a “tenant-confirmation screenshot”?](#)
6. Daily-rate schedule for drying equipment ****plus**** written assurance that no “no-access” surcharge will be levied without a Tribunal order [As previously mentioned, FIXD is the contractor appointed by the Owners Corporation \(OC\), and the OC will be covering the cost of the scheduled works. Could you please clarify the relevance of the “daily-rate schedule for drying equipment”? There will be no additional charges incurred, provided FIXD is granted access in accordance with the Notice of Entry and](#)

there are no delays caused by restricted access or obstruction to the repair process.

No bundle → No entry → Call-out fee remains fictional.

****Provisional window (if items 1-6 arrive):** **Wed 9 Jul 2025, 15 : 30 – 19 : 00 AEST****

****Retaliatory warning**** Your 27 Jun 15 : 09 email (“...deduct from your bond...”) breaches s 264 RTA. Any repeat—or any attempt to impose daily drying fees without prior disclosure—will trigger my application for penalty units and costs.

****Non-confirmation notice**** Until items 1-6 are supplied, this email does ****not**** constitute consent.

Key verbatim excerpts for easy reference:

- ***Exh A – 16 Jun 04 : 37 (tenant)*** “any update ... I’ll reply before 12 : 00 ...”
- ***Exh B – 16 Jun 11 : 52 (agent)*** “Thanks so much ... ****for confirming**** ...”
- ***Exh C – 23 Jun 14 : 35 (agent)*** “remediation work ... 24 Jun 08 : 30 ... provide access ...”
- ***Exh D – 27 Jun 15 : 09 (agent)*** “****we will deduct it from your bond****.”

Your own notices concede the job “might be extended subject to the length of the drying process” yet provide no timeline or cost caps. Please resolve that conflict by supplying items 1-6 above.

****Attachments****

- Exhibit_A_20250616_0437.pdf
- Exhibit_B_20250616_1152.pdf
- Exhibit_C_20250623_1505.pdf
- Exhibit_D_20250627_1509.pdf

Regards — courtesy, not confirmation,

Chawakorn Kamnuansil

Tenant – Unit 1803, 243 Franklin St | VCAT Ref RT252398

On Fri, Jun 27, 2025 at 3:09 PM Johnson Tan <johnson.tan@areal.com.au> wrote:

Message Thread - FW: RDRV - Case RT252398 - 33 Camberwell Rd, Hawthorn East, VIC, 3123

Report created: 11/08/2025

Detail

Property:

Date:	11/08/2025	Last message on:	11/08/2025
First response on:		Minutes to respond:	
Status:	Open	Task Type:	
Sent to:	Shaun Young	Sent on:	

Message

Subject:	FW: RDRV - Case RT252398 - 33 Camberwell Rd, Hawthorn East, VIC, 3123		
Created on:	11/08/2025	Message type:	Received Email
From:	Shaun Young (shaun.young@areal.com.au)		

Kind Regards,

Shaun Young
Relationship Manager

0492 847 287
shaun.young@areal.com.au
03 9818 8991
33 Camberwell Road Hawthorn East VIC 3123
www.areal.com.au

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From: Johnson Tan <johnson.tan@areal.com.au>
Sent: Monday, 11 August 2025 3:45 PM
To: Shaun Young <shaun.young@areal.com.au>
Subject: FW: RDRV - Case RT252398 - 33 Camberwell Rd, Hawthorn East, VIC, 3123

Kind Regards,

Johnson Tan
Senior Relationship Manager - Coverage

[0420 846 041](tel:0420846041)
johnson.tan@areal.com.au
[03 9818 8991](tel:0398188991)
33 Camberwell Road Hawthorn East VIC 3123
www.areal.com.au

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From: Johnson Tan
Sent: Wednesday, 9 July 2025 6:39 PM
To: Chawakorn Kamnuansil <ck.chawakorn@gmail.com>; Areal Property MPM <mpm@email.propertyme.com>
Cc: Cases@courts.vic.gov.au; bewty980219@gmail.com; Sylvia Hao <sylvia.hao@areal.com.au>
Subject: RE: RDRV - Case RT252398 - 33 Camberwell Rd, Hawthorn East, VIC, 3123

Hi Chawakorn,

Good evening and hope you're both doing well.
I'm following up on my previous email regarding the compensation from the OC.

Please know that I'm here to assist and help explore the best possible options for you.
At the end of the day, our shared goal is to have the issue resolved as quickly and smoothly as possible.

I completely understand your concerns about staying in the property during the repair work. When FIXD inspected the property back in May, the initial estimate for the job duration was over 7 – 10 days. However, due to the delays, the condition might have been deteriorated. Hence, FIXD is unable to provide a timeframe of the work.

As I have not yet received a confirmed response from the OC regarding the \$800 compensation offer, I would like to outline some options for you to consider:

1. Seek temporary accommodation during the works, and submit a reimbursement claim to the OC, who is ultimately responsible for the leak. While this is a valid option, I must note that we cannot guarantee the outcome of their approval.
2. Early lease termination without penalty. If you feel the property will be uninhabitable during the repairs and would prefer not to take the risk of seeking compensation from the OC, the rental provider is willing to allow you to break the fixed-term lease early with no penalties.
3. If you would like to further escalate this, you can have the OC joined as a party to residential tenancy application at VCAT

Please let us know which option you would prefer, or if there's anything else we can do to support you. Thank you again, and wishing you a pleasant evening.

From: Johnson Tan

Sent: Monday, 7 July 2025 11:07 AM

To: Chawakorn Kamnuansil <ck.chawakorn@gmail.com>; Areal Property MPM <mpm@email.propertyme.com>

Cc: Cases@courts.vic.gov.au; bewty980219@gmail.com; Sylvia Hao <sylvia.hao@areal.com.au>

Subject: RE: RDRV - Case RT252398 - 33 Camberwell Rd, Hawthorn East, VIC, 3123

Hi Chawakorn,

Thank you for your email.

I would like to seek clarification on one thing, which I haven't received a certain answer yet.

I can see that there is a \$800 compensation, offered by the OC.

Is that compensation amount meant to be compensating the inconvenience during the work?

If so, I believe that is the reason why the OC didn't offer an alternative accommodation for this job.

If no, can you please forward the email of you rejecting that offer?

Thank you Chawakorn.

From: Chawakorn Kamnuansil <ck.chawakorn@gmail.com>

Sent: Friday, 4 July 2025 11:37 PM

To: Areal Property MPM <mpm@email.propertyme.com>; Johnson Tan <johnson.tan@areal.com.au>

Cc: Cases@courts.vic.gov.au; bewty980219@gmail.com; Sylvia Hao <sylvia.hao@areal.com.au>

Subject: Re: RDRV - Case RT252398 - 33 Camberwell Rd, Hawthorn East, VIC, 3123

Hi Johnson,

Resending this—just to be sure it doesn't get *lost* in whichever account you feel like using today.

Consider it a polite note that swapping signatures and email headers doesn't erase what's actually happened here, or who is responsible.

Regards,
Chawakorn

On Fri, Jul 4, 2025 at 10:32 PM Chawakorn Kamnuansil <ck.chawakorn@gmail.com> wrote:

Message Thread - Follow-up – Formal Demand & Statement Regarding Unresolved Repairs (Unit 1803)

Report created: 11/08/2025

Detail

Property:	1803/243 Franklin Street, Melbourne VIC 3000		
Date:	6/06/2025	Last message on:	24/06/2025
First response on:	6/06/2025	Minutes to respond:	200 minutes
Status:	Completed	Task Type:	Task
Sent to:	Sylvia Hao	Sent on:	27/06/2025

Messages

Subject:	Follow-up – Formal Demand & Statement Regarding Unresolved Repairs (Unit 1803)		
Created on:	6/06/2025	Message type:	Received Email
From:	Chawakorn Kamnuansil (ck.chawakorn@gmail.com)		

Dear Sylvia,

I am writing with the intent of resolving this matter constructively and without escalation, if possible.

Over the past two months, I have reported the water damage issue multiple times in good faith, cooperated with your office, and done my best to remain in the property despite the difficulties. I am not trying to be confrontational; I simply need a clear and reasonable outcome, supported by appropriate action and communication.

Please find attached:

1. A formal demand letter outlining my request for rent compensation, a firm repair timeline, and confirmation of non-liability – based on my rights under the Residential Tenancies Act 1997 (VIC).
2. A supporting tenant statement summarising the verbal communication with your office around 2–3 June 2025, including the temporary accommodation proposal and its impractical conditions.

If a fair and written resolution is not reached within five (5) business days, I will have no choice but to initiate proceedings through VCAT. I sincerely hope this can be avoided and that we can achieve a reasonable solution for all parties involved.

I would appreciate your written response at your earliest convenience.

Kind regards,

Chawakorn Kamnuansil

ck.chawakorn@gmail.com

Attachments:

1. Formal_Demand_Letter_Chawakorn.pdf
2. Tenant_Statement_Chawakorn.pdf

Subject: Re: Follow-up – Formal Demand & Statement Regarding Unresolved Repairs (Unit 1803)
Created on: 6/06/2025 **Message type:** Sent Email
To: Chawakorn Kamnuansil (ck.chawakorn@gmail.com)

Dear Chawakorn,

Thank you for your email and the supporting documents outlining your concerns and formal request.

We understand the impact this situation has had on your tenancy and appreciate the way you've approached the matter. We will now forward your request and documentation to the Owners Corporation for consideration of a rent compensation claim based on the current circumstances.

In the meantime, we are aiming to proceed with the repair works as soon as possible. Could you kindly confirm whether works can commence on Thursday, 6 June 2025, or let us know your earliest availability to provide access?

We will continue to keep you updated as we receive further information from the Owners Corporation.

Kind regards,

Sylvia Hao
Relationship Manager

M 0420 675 561

P 03 9818 8991

A 33 Camberwell Road, Hawthorn East VIC 3123

On 6/06/2025 1:21 AM, Chawakorn Kamnuansil <ck.chawakorn@gmail.com> wrote:

Subject: Re: Follow-up – Formal Demand & Statement Regarding Unresolved Repairs (Unit 1803)
Created on: 6/06/2025 **Message type:** Received Email
From: Chawakorn Kamnuansil (ck.chawakorn@gmail.com)

Dear Sylvia,

Thank you for your response dated Friday, 6 June 2025 at 11:50am.

As the primary resident of the property who has lived through weeks of unresolved water damage, I must reiterate that no one is more eager than I am to see the situation resolved quickly and properly. However, I am currently unable to provide consent for any repair work to begin.

Firstly, your email referred to repairs commencing on "Thursday, 6 June" a date which had already passed at the time of your message. This inconsistency is not just confusing; it is logistically impossible and calls into question the seriousness of the repair planning. Such unclear and last-minute communication cannot form the basis for valid consent.

Secondly, I must emphasise that I cannot authorise access until the following points are clearly confirmed in writing:

1. A definitive and specific repair timeline, including projected completion date.
2. Whether temporary relocation will be required, and if so, what arrangements or compensation are being offered.
3. Your position on my formal request for rent reduction and confirmation of non-liability, which remain outstanding.
4. Acknowledgment of the impact on my co-tenant, who is also named in the lease agreement, and who will equally be affected by noise and accessibility issues related to the drying equipment.

It is my responsibility to ensure that any agreement made does not inadvertently waive our legal rights or create further hardship. I must act cautiously, especially as the installation of industrial drying equipment operating 24/7 poses real disturbancesomething your office acknowledged in our previous phone call.

If I were to consent now without these matters resolved in writing, it could later be used to suggest that I accepted all resulting conditions, which I absolutely do not.

Therefore, I will only provide access once I receive formal written confirmation addressing all points above. Until then, I consider it unreasonable to demand a commitment from me, especially under these unclear and one-sided circumstances.

As noted in my formal demand, if a resolution is not reached within five (5) calendar daysincluding weekendsI will proceed to file an application with VCAT.

Kind regards,

Chawakorn Kamnuansil
ck.chawakorn@gmail.com

On Fri, 6 Jun 2025 at 11:50, Sylvia Hao - Areal Property Hawthorn (MPM) <MPM@email.propertytyme.com> wrote:

Subject:	Re: Follow-up – Formal Demand & Statement Regarding Unresolved Repairs (Unit 1803)		
Created on:	10/06/2025	Message type:	Sent Email
To:	Chawakorn Kamnuansil, (ck.chawakorn@gmail.com , bewty980219@gmail.com)		

Dear Chawakorn,

Thank you for your email and for clearly outlining your concerns. We completely understand the frustration and inconvenience this ongoing issue has caused, and we truly appreciate your patience.

Repair Timeline:

We have formally submitted your 30% rent reduction request to the Owners Corporation and are awaiting their response. Once we receive their feedback, we will provide you with a confirmed repair timeline and projected completion date.

Temporary Relocation:

As discussed, the affected bedroom will need to be vacant during the repair work, including the installation of drying equipment.

Co-Tenant Impact:

We recognize that your co-tenant will also be affected by these repairs. Please rest assured that we will keep both of you informed about the repair schedule and any potential disruptions.

We fully respect your decision to withhold consent until these matters are fully addressed in writing. We are working to resolve this as quickly as possible and will provide all the necessary details as soon as they are available.

If you have any further questions or need additional clarification, please don't hesitate to reach out.

Kind regards,

Sylvia Hao
Relationship Manager

M 0420 675 561

P 03 9818 8991

A 33 Camberwell Road, Hawthorn East VIC 3123

On 6/06/2025 4:36 PM, Chawakorn Kamnuansil <ck.chawakorn@gmail.com> wrote:

Subject: Re: Follow-up – Formal Demand & Statement Regarding Unresolved Repairs (Unit 1803)
Created on: 10/06/2025 **Message type:** Received Email
From: Sylvia Hao - Areal Property Hawthorn (MPM) (MPM@email.propertyme.com)



Dear Chawakorn,

Thank you for your email and for clearly outlining your concerns. We completely understand the frustration and inconvenience this ongoing issue has caused, and we truly appreciate your patience.

Repair Timeline:

We have formally submitted your 30% rent reduction request to the Owners Corporation and are awaiting their response. Once we receive their feedback, we will provide you with a confirmed repair timeline and projected completion date.

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We fully respect your decision to withhold consent until these matters are fully addressed in writing. We are working to resolve this as quickly as possible and will provide all the necessary details as soon as they are available.

If you have any further questions or need additional clarification, please don't hesitate to reach

out.

Kind regards,

Sylvia Hao
Relationship Manager

M 0420 675 561
P 03 9818 8991
A 33 Camberwell Road, Hawthorn East VIC 3123



On 6/06/2025 4:36 PM, Chawakorn Kamnuansil <ck.chawakorn@gmail.com> wrote:

If you have any feedback regarding my service, please feel free to contact my manager.

Jamie Ong (Head of Property Management) jamie.ong@areal.com.au

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Subject: Re: Follow-up – Formal Demand & Statement Regarding Unresolved Repairs (Unit 1803)
Created on: 10/06/2025 **Message type:** Sent Email
To: Chawakorn Kamnuansil, (ck.chawakorn@gmail.com, bewty980219@gmail.com)

Dear Chawakorn,

I've received confirmation from the Owners Corporation that they are happy to proceed with the previously proposed rent reduction of \$800.00.

Could you kindly confirm if you're happy with this adjustment?

Once confirmed, we'll proceed accordingly.

Kind regards,

Sylvia Hao
Relationship Manager

M 0420 675 561
P 03 9818 8991
A 33 Camberwell Road, Hawthorn East VIC 3123

On 10/06/2025 12:55 PM, "Sylvia Hao - Areal Property Hawthorn (MPM)" <MPM@email.propertyme.com> wrote:

Subject: Re: Follow-up – Formal Demand & Statement Regarding Unresolved Repairs (Unit 1803)
Created on: 10/06/2025 **Message type:** Received Email
From: Sylvia Hao - Areal Property Hawthorn (MPM) (MPM@email.propertyme.com)



Dear Chawakorn,

I've received confirmation from the Owners Corporation that they are happy to proceed with the previously proposed rent reduction of \$800.00.

Could you kindly confirm if you're happy with this adjustment?

Once confirmed, we'll proceed accordingly.

Kind regards,

Sylvia Hao
Relationship Manager

M 0420 675 561
P 03 9818 8991
A 33 Camberwell Road, Hawthorn East VIC 3123



On 10/06/2025 12:55 PM, "Sylvia Hao - Areal Property Hawthorn (MPM)" <MPM@email.propertyme.com> wrote:

If you have any feedback regarding my service, please feel free to contact my manager.

Jamie Ong (Head of Property Management) jamie.ong@areal.com.au

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Subject: Re: Rent Adjustment – Request for Clarification and Meeting (12 June)
Created on: 11/06/2025 **Message type:** Received Email
From: Chawakorn Kamnuansil (ck.chawakorn@gmail.com)

Dear Sylvia,

Thank you again for your recent update, and for forwarding the proposed rent adjustment of \$800.

As I've mentioned previously, I'm still very open to resolving this matter directly and as fairly as possible, given the nature and duration of the disruption.

Before I can respond to the proposed amount, I'd really appreciate your clarification on a few key points, just so there's no confusion going forward:

- How exactly was the \$800 figure calculated?
- What time period does it cover?
- Does it reflect one tenant or both of us?
- If accepted, would that payment mean I can't raise other issues like earlier disruption or temporary accommodation?
- And what's the current expected repair timeline?

From my side, I've been looking at the impact from around 15 April, which is when the issue started and when I first reached out. So I hope that context can be considered as part of your team's preparation before we meet. It would really help if everything could be brought or explained clearly during the discussion, so we don't go in circles.

To keep things moving forward, I'd like to propose an in-person meeting at your office on Thursday, 12 June at 10:30 AM. I'll be bringing a support person with me as well. Nothing formal — just someone to help me navigate things clearly.

If this time doesn't work for your team, please let me know by 9:00 AM Thursday. If I don't hear back by then, I'll assume the meeting can't go ahead as suggested and will take the next steps from there.

Thank you again — I'm still hopeful we can bring this to a clear and fair resolution.

Kind regards,

Chawakorn Kamnuansil

On Tue, 10 Jun 2025 at 16:19, Sylvia Hao - Areal Property Hawthorn (MPM) <MPM@email.propertyme.com> wrote:

Subject: Fwd: Follow-up – Formal Demand & Statement Regarding Unresolved Repairs (Unit 1803)
Created on: 12/06/2025 **Message type:** Sent Email
To: (michael.zhang@areal.com.au)

Sylvia Hao
Relationship Manager

M 0420 675 561
P 03 9818 8991
A 33 Camberwell Road, Hawthorn East VIC 3123

On 11/06/2025 6:45 PM, Chawakorn Kamnuansil <ck.chawakorn@gmail.com> wrote:

Subject: Re: Follow-up – Formal Demand & Statement Regarding Unresolved Repairs (Unit 1803)
Created on: 12/06/2025 **Message type:** Sent Email
To: (ck.chawakorn@gmail.com)

Dear Chawakorn,

Thank you for your thoughtful response and for your continued openness to resolving this matter collaboratively.

We understand the importance of your questions regarding the proposed rent adjustment, repair timeline, and related concerns. Given the complexity of the situation, we believe an in-person meeting would be the most efficient and constructive way to go through all the details and reach a clear understanding together.

We would like to invite you to our office at 33 Camberwell Road, Hawthorn East, and offer the following options for a meeting on Friday, 13 June:

Any time between 11:30 AM and 12:30 PM, or

Any time between 2:00 PM and 3:00 PM (please let us know your preferred time within that window).

You are welcome to bring your support person, and we'll ensure all relevant documentation and responses are prepared in advance for review and discussion.

Please confirm your availability at your earliest convenience, and we'll lock in the time accordingly.

Kind regards,

Sylvia Hao
Relationship Manager

M 0420 675 561
P 03 9818 8991
A 33 Camberwell Road, Hawthorn East VIC 3123

On 12/06/2025 2:07 PM, MPM@email.propertyme.com wrote:

Subject: Re: Follow-up – Formal Demand & Statement Regarding Unresolved Repairs (Unit 1803)
Created on: 13/06/2025 **Message type:** Received Email
From: Chawakorn Kamnuansil (ck.chawakorn@gmail.com)

Subject: Fwd: Follow-up – Formal Demand & Statement Regarding Unresolved Repairs (Unit 1803)
Created on: 13/06/2025 **Message type:** Sent Email
To: (michael.zhang@areal.com.au)

Sylvia Hao
Relationship Manager

M 0420 675 561
P 03 9818 8991
A 33 Camberwell Road, Hawthorn East VIC 3123

On 13/06/2025 6:19 AM, Chawakorn Kamnuansil <ck.chawakorn@gmail.com> wrote:

Subject: Re: Follow-up – Formal Demand & Statement Regarding Unresolved Repairs (Unit 1803)
Created on: 13/06/2025 **Message type:** Sent Email
To: (ck.chawakorn@gmail.com)

Dear Chawakorn,

I hope you're well, and thank you again for your continued engagement regarding the repair matter.

Following instructions from the rental provider, we are now arranging to proceed with the required repairs to the water-damaged wall and flooring. These works are necessary to prevent further deterioration of the property.

To ensure works can commence without further delay, please expect a formal Notice of Entry to be issued on Monday, 16 June 2025. This is in accordance with the Residential Tenancies Act and will confirm the entry date and time for the Owners Corporation's contractors to attend.

As previously advised, the repair process is estimated to take approximately 7–12 days. If you have any preferred times or specific availability for the week ahead, please feel free to share this by 12:00 PM Monday, 16 June, and we'll do our best to coordinate accordingly. However, please note that access must be provided to prevent further damage and comply with maintenance obligations.

In terms of rent compensation, a rent credit of \$800 will be applied and reflected on your ledger. This offer has been confirmed by the rental provider as final, with no further compensation to be considered.

If you feel the current tenancy no longer suits your circumstances, the owner is open to discussing a mutual lease termination, without penalty, should you wish to explore that option.

Please don't hesitate to reach out with any further questions or concerns — we remain committed to a timely and fair resolution.

Warm regards,

Sylvia Hao
Relationship Manager

M 0420 675 561
P 03 9818 8991
A 33 Camberwell Road, Hawthorn East VIC 3123

On 13/06/2025 10:11 AM, MPM@email.propertyme.com wrote:

Subject: Re: Follow-up – Formal Demand & Statement Regarding Unresolved Repairs (Unit 1803)
Created on: 16/06/2025 **Message type:** Received Email
From: Chawakorn Kamnuansil (ck.chawakorn@gmail.com)

just wondering if there's any update on the general repair days or schedule?

if you have anything rough before 9:30 monday, feel free to send it through, just so I can sort out what to do

not a big deal either way, just thought I'd check

i'll probably just reply before 12:00 like you mentioned

might be out of touch after that

thanks

chawakorn

On Fri, 13 Jun 2025 at 17:22, Sylvia Hao - Areal Property Hawthorn (MPM) <MPM@email.propertytyme.com> wrote:

Subject: Re: Follow-up – Formal Demand & Statement Regarding Unresolved Repairs (Unit 1803)
Created on: 16/06/2025 **Message type:** Sent Email
To: Chawakorn Kamnuansil (ck.chawakorn@gmail.com)

Hi Chawakorn,

Thanks so much for checking in and for confirming.

We're currently following up with the Owners Corporation to lock in the repair schedule, and we'll send through an update as soon as we hear back from their team.

If anything comes through today, I'll definitely pass it on.

Thanks again for your patience and understanding — we're getting closer.

Warm regards,

Sylvia Hao
Relationship Manager

M 0420 675 561
P 03 9818 8991
A 33 Camberwell Road, Hawthorn East VIC 3123

On 16/06/2025 4:37 AM, Chawakorn Kamnuansil <ck.chawakorn@gmail.com> wrote:

Subject: Re: Follow-up – Formal Demand & Statement Regarding Unresolved Repairs (Unit 1803)
Created on: 23/06/2025 **Message type:** Sent Email
To: (ck.chawakorn@gmail.com)

Hi Chawakorn,

Good afternoon and hope you are well.
Sylvia is currently on leave and will be back on 7 July.

Just a quick reminder that the remediation work will be commenced on tomorrow (24 June) at 8:30AM.
Please ensure you will be able to provide access for the trade.

Thank you very much!

Johnson Tan
Senior Relationship Manager

M 0420 846 041 **E** johnson.tan@areal.com.au **P** 03 9818 8991 **A** 33 Camberwell Road Hawthorn
East VIC 3123

On 16/06/2025 11:51 AM, MPM@email.propertyme.com wrote:

Subject:	Re: Follow-up – Formal Demand & Statement Regarding Unresolved Repairs (Unit 1803)
Created on:	23/06/2025
From:	Chawakorn Kamnuansil (ck.chawakorn@gmail.com)
Message type:	Received Email

Dear Johnson,

Thank you for your message. And honestly, I'm relieved to hear from someone new, because I don't feel that Sylvia Hao ever fully understood what I've been trying to say from the start.

Happy holiday to Sylvia — I hope she's having a relaxing break. I wish I could take one too under the current circumstances.

I kindly ask you to take a moment to review my past emails. At no point did I confirm that I agreed to the works or gave consent to proceed. In fact, I've repeatedly asked Sylvia for proper information and clarification, which I never received. The only thing I said was that I might be out of touch — which I clearly explained was because I needed a break from all this due to how much stress it had caused me. And now, after several days of silence, I suddenly receive a reminder that the works are happening tomorrow?

I have no idea what's going to happen to me tomorrow.

You're asking me to provide access for something I was never truly consulted on. I was not given 14 days' notice. And more importantly — where do you actually expect me to stay? I just paid \$2,825 in rent. I have no money for a second place. I can't share a bedroom with my co-tenant. And no one from your office, including Sylvia, has ever addressed that properly.

If this is the agency's internal policy — to carry out major internal works while offering no accommodation or practical alternatives to the tenant — then please confirm that to me clearly. It would actually be helpful for me to have that confirmed, because I have now submitted this matter to VCAT and am preparing to provide a complete record of what's happened.

Again, I am not refusing access. I am simply asking a question that no one has answered: where am I supposed to stay?

Also, please do not attempt to contact me by phone. I will not answer any calls. All communication must be in writing by email, as phone calls cannot be recorded or documented for evidence purposes.

Regards,

Chawakorn Kamnuansil

On Mon, 23 Jun 2025 at 14:35, Johnson Tan - Areal Property Hawthorn (MPM) <MPM@email.propertyme.com> wrote:

Subject: Re: Follow-up – Formal Demand & Statement Regarding Unresolved Repairs (Unit 1803)
Created on: 23/06/2025 **Message type:** Sent Email
To: Chawakorn Kamnuansil (ck.chawakorn@gmail.com)

Hi Chawakorn,

Thank you for your reply. I want to start by sincerely apologising for the inconvenience and frustration this ongoing issue has caused you. I truly understand how disruptive this must be, and I appreciate your continued patience throughout.

After reviewing the communication trail, I want to clarify that the source of the leak originates from a common area of the building, which falls under the Owners Corporation's (OC) responsibility. As a result, all scheduling and repair works need to be coordinated through them. Unfortunately, this has contributed to the delays, and I understand how frustrating that can be.

To address your first question: Sylvia did send an email on 18 June 2025 to both you and Podjana once the OC confirmed the appointment details. I've attached a screenshot of that email for your reference. It's possible it was missed, but I'm glad to hear that you'll be able to provide access tomorrow.

Regarding alternative accommodation, it was my understanding that the agreed \$800 compensation was intended to help offset those costs. If I've misunderstood or missed anything, please do let me know—there's been a lot of emails, and I want to ensure nothing important is overlooked. The amount will be set as rent credit once the repair is commenced.

Again, I truly empathise with your situation. From what I've seen, Sylvia has been doing her utmost to keep communication flowing between all parties involved—yourself, the rental provider, the OC, and their plumber. Unfortunately, her ability to act is limited when the responsible party is not as responsive as we would hope.

Please rest assured that we will continue to follow up closely and advocate for this to be resolved as quickly as possible.

Johnson Tan
Senior Relationship Manager

M 0420 846 041 **E** johnson.tan@areal.com.au **P** 03 9818 8991 **A** [33 Camberwell Road Hawthorn East VIC 3123](#)

On 23/06/2025 3:38 PM, Chawakorn Kamnuansil <ck.chawakorn@gmail.com> wrote:

Subject: Re: Follow-up – Formal Demand & Statement Regarding Unresolved Repairs (Unit 1803)
Created on: 24/06/2025 **Message type:** Sent Email
To: (ck.chawakorn@gmail.com)

Hi Chawakon,

