

Application to renew a repairs matter

APPLICATION DETAILS

VCAT number: R202 / _____ Date of VCAT orders: ____/____/____

RENTER RENEWAL

I am a renter and I wish to renew these proceedings because:

- ☐ There is disagreement as to the work required under VCAT's order;
- ☐ The repairs have not been completed in accordance with VCAT's order;
- ☐ I have an order enabling me to pay rent to the Rent Special Account and further orders are sought;
- ☐ I want to claim compensation for loss arising from the lack of repair.

The following repairs are outstanding:

I want VCAT to make the following order(s):

- ☐ Further orders to clarify the nature of the work to be done to complete the repairs specified in VCAT's earlier order.
- ☐ Order for rent to be paid into the Rent Special Account because the repairs have not been completed (*s77 Residential Tenancies Act 1997*). My rent is \$..... per week / fortnight / calendar month and my next payment is due on.....
- ☐ Further orders relating to the Rent Special Account, namely.....
.....
- ☐ Order for compensation (*s76, s212 Residential Tenancies Act 1997*) / payment of compensation from the Rent Special Account.
 - ☐ My detailed claim for compensation is attached, or
 - ☐ My detailed claim for compensation will be provided to VCAT and the rental provider within 14 days.

DECLARATION

I have sent a copy of this form to the other party to this proceeding and attached proof that I have done so.

Name: _____

Signature: _____

Date: ____/____/____ ☐ **Proof of service of this form on the other party is attached.**

RENTAL PROVIDER RENEWAL

I am a rental provider and I wish to renew these proceedings because:

☐ I am unable to complete the repairs by the date(s) specified in VCAT's order.

The reason why I cannot complete the repairs as ordered is because:

I want VCAT to make the following changes to the earlier repair orders:

☐ VCAT made an order enabling the renter to pay rent to the Rent Special Account and the repairs are completed.

I want to end the Rent Special Account order and for the rent in the Rent Special Account to be paid out as follows:

.....

☐ Both parties have agreed to the above and evidence of consent is attached.

☐ The parties have not agreed to the above.

DECLARATION

I have sent a copy of this form to the other party to this proceeding and attached proof that I have done so.

Name: _____

Signature: _____

Date: ____ / ____ / ____

☐ Proof of service of this form on the other party is attached.

WHAT THE OTHER PARTY MUST DO IN RESPONSE TO THIS FORM

IMPORTANT NOTES:

As noted in VCAT's repair orders, VCAT may make a decision in chambers (without a hearing) pursuant to section 100 of the *Victorian Civil and Administrative Tribunal Act 1998*, if the applicant for renewal seeks:

- An order for rent to be paid to the Rent Special Account because repairs have not been completed, or
- An extension of time for the rental provider to complete repairs, or
- Repayment of monies from the Rent Special Account by consent.

VCAT will consider making in chambers orders regarding the above types of renewal applications no earlier than 7 days after receipt.

If you receive this form and you wish to object to either of the above orders being made in chambers, and/or you wish to file documents for consideration by VCAT, you must immediately write to VCAT and the other party setting out your response.

Section 100 of the Victorian Civil and Administrative Tribunal Act 1998

- The Tribunal may conduct all or part of a proceeding entirely on the basis of documents, without appearance of the parties, unless a party objects.
- The Tribunal may conduct all or part of a proceeding (*other than a prescribed proceeding or prescribed class of proceeding*) entirely on the basis of documents, without the appearance of the parties if —
 - (a) a party objects to all or part of the proceeding being conducted in this manner; and
 - (b) the Tribunal is satisfied that the objection is not reasonable.

All compensation applications will be listed for a hearing, and you will receive further directions from VCAT.