

GENERAL APPLICATION TO THE RESIDENTIAL TENANCIES LIST

ABOUT THIS FORM

Use this form if you are a residential rental provider (landlord), renter (tenant), caravan park owner, caravan owner, caravan park resident, rooming house operator or rooming house resident and want VCAT to hear your dispute.

You can also apply using the Residential Tenancies Hub or online form, which can be processed quicker by VCAT than completing this PDF form.

You need to find out the relevant Section Number related to your dispute in your application claim details. You may also have to provide documents to support your claim. To see a list of common disputes we hear and their section numbers, go to www.vcat.vic.gov.au/rentingnotice.

If one of the parties in your dispute resides outside of Victoria, we can only hear applications where one of the following applies to them:

- the individual resides in an Australian territory
- the interstate party is a corporation or state political entity
- the party is an overseas resident.

This means we cannot hear applications where a party in your dispute is an individual who resides interstate. In these situations, you can apply to the Magistrates' Court of Victoria. For more information, see: www.vcat.vic.gov.au/interstateparties.

NEED HELP WITH YOUR APPLICATION?

If you have any questions about completing this form, contact us:

- call 1300 01 8228 (1300 01 VCAT) between 9 am and 4.30 pm Monday to Friday
- email renting@vcat.vic.gov.au

PART 1: ADDRESS OF THE RENTED PREMISES

1. The rented premises is a:

- House, unit or apartment Rooming house
 Caravan or caravan park Site
 Other type of premises, please specify:

2. What is the address of the rented premises (or room or site if applicable)?

Street address

Suburb State Postcode

PART 2: WHO IS MAKING THIS APPLICATION?

The applicant is the person or organisation making this application.

3. As the applicant, are you a:

- | | |
|---|--|
| <input type="checkbox"/> Private rental provider (landlord) | <input type="checkbox"/> Caravan park owner |
| <input type="checkbox"/> Rental provider (landlord) represented by an estate agent | <input type="checkbox"/> Caravan owner |
| <input type="checkbox"/> Renter (tenant) | <input type="checkbox"/> Caravan park resident |
| <input type="checkbox"/> Rooming house operator | <input type="checkbox"/> Site owner |
| <input type="checkbox"/> Rooming house resident | <input type="checkbox"/> Site tenant |
| | <input type="checkbox"/> Other |

4. Are you a person of Aboriginal and/or Torres Strait Islander descent?

- Yes No

5. Details of Applicant 1

| | | | | | |
|----------------|----------------------|-------|----------------------------------|----------|----------------------|
| Given names | <input type="text"/> | | | | |
| Family name | <input type="text"/> | | | | |
| Organisation | <input type="text"/> | | | | |
| Email | <input type="text"/> | | | | |
| Phone number | <input type="text"/> | | | | |
| Street address | <input type="text"/> | | | | |
| Suburb | <input type="text"/> | State | <input type="text" value="VIC"/> | Postcode | <input type="text"/> |

PART 3: IS THERE ANOTHER APPLICANT?

Is there another applicant making this application with you? If not applicable, skip to Question 9.

6. The second applicant is a:

- | | |
|---|--|
| <input type="checkbox"/> Private rental provider (landlord) | <input type="checkbox"/> Caravan park owner |
| <input type="checkbox"/> Rental provider (landlord) represented by an estate agent | <input type="checkbox"/> Caravan owner |
| <input type="checkbox"/> Renter (tenant) | <input type="checkbox"/> Caravan park resident |
| <input type="checkbox"/> Rooming house operator | <input type="checkbox"/> Site owner |
| <input type="checkbox"/> Rooming house resident | <input type="checkbox"/> Site tenant |
| | <input type="checkbox"/> Other |

7. Is the second applicant of Aboriginal and/or Torres Strait Islander descent?

- Yes No

8. Details of Applicant 2

| | | | | | |
|----------------|----------------------|-------|----------------------------------|----------|----------------------|
| Given names | <input type="text"/> | | | | |
| Family name | <input type="text"/> | | | | |
| Organisation | <input type="text"/> | | | | |
| Email | <input type="text"/> | | | | |
| Phone number | <input type="text"/> | | | | |
| Street address | <input type="text"/> | | | | |
| Suburb | <input type="text"/> | State | <input type="text" value="VIC"/> | Postcode | <input type="text"/> |

PART 4: IS SOMEONE REPRESENTING YOU?

A representative is someone who you have authorised to act on your behalf (eg. appear at the hearing). VCAT will send correspondence directly to the representative.

9. Are you represented by a professional?

- | | |
|--|--|
| <input type="checkbox"/> I am representing myself | <input type="checkbox"/> Real estate agent |
| <input type="checkbox"/> Support worker | <input type="checkbox"/> Lawyer |
| <input type="checkbox"/> Other representation, please specify: | |

10. If you are represented by a professional, provide details (as applicable):

| | | | | | |
|----------------|----------------------|-------|----------------------------------|----------|----------------------|
| Organisation | <input type="text"/> | | | | |
| Contact name | <input type="text"/> | | | | |
| Email | <input type="text"/> | | | | |
| Phone number | <input type="text"/> | | | | |
| Street address | <input type="text"/> | | | | |
| Suburb | <input type="text"/> | State | <input type="text" value="VIC"/> | Postcode | <input type="text"/> |

PART 5: WHO ARE YOU MAKING AN APPLICATION AGAINST?

The person or organisation you are making an application against is called a respondent.

Respondent 1

11. The respondent is a:

- | | |
|---|--|
| <input type="checkbox"/> Private rental provider (landlord) | <input type="checkbox"/> Caravan park owner |
| <input type="checkbox"/> Rental provider (landlord) represented by an estate agent | <input type="checkbox"/> Caravan owner |
| <input type="checkbox"/> Renter (tenant) | <input type="checkbox"/> Caravan park resident |
| <input type="checkbox"/> Rooming house operator | <input type="checkbox"/> Site owner |
| <input type="checkbox"/> Rooming house resident | <input type="checkbox"/> Site tenant |
| | <input type="checkbox"/> Other |



If your application is against your rental provider (landlord), you must provide the name of the rental provider (landlord), not the real estate agent.

To find the name of the rental provider (landlord), check your rental agreement or speak to your estate agent. If you cannot find out their name, enter 'The Rental Provider'.

12. Details of Respondent 1:

Given names

Family name

Organisation

Email

Phone number

Street address

Suburb State Postcode

PART 6: SECOND RESPONDENT'S DETAILS

Is there another respondent you are making this application against? If not applicable, skip to Question 15.

13. The second respondent is a:

- Private rental provider (landlord)
- Rental provider (landlord) represented by an estate agent
- Renter (tenant)
- Rooming house operator
- Rooming house resident
- Caravan park owner
- Caravan owner
- Caravan park resident
- Site owner
- Site tenant
- Other

14. Details of Respondent 2:

Organisation

Contact name

Email

Phone number

Street address

Suburb State Postcode

PART 7: IS SOMEONE REPRESENTING THE RESPONDENT?

15. Is the respondent represented by a real estate agent, lawyer or professional advocate?

- Yes
- No, skip to Question 17
- Don't know, skip to Question 17

16. Details of the respondent's representative:

All correspondence from VCAT will be sent to the respondent's representative.

| | | | |
|----------------|--|----------|-----|
| Organisation | | | |
| Contact name | | | |
| Email | | | |
| Phone number | | | |
| Street address | | | |
| Suburb | | State | VIC |
| | | Postcode | |

PART 8: BOND DETAILS

17. Was a bond paid?

- Yes – lodged with the Residential Tenancies Bond Authority (RTBA)
- Yes – not lodged with the RTBA
- No, skip to Question 20

18. Did the Director of Housing or registered housing agency contribute towards the payment of this bond?

- Yes – provide details below
- No

| | | | | |
|-------------|--|-------------|----|--|
| Bond number | | Amount paid | \$ | |
|-------------|--|-------------|----|--|

19. Details of bond paid by renter (tenant):

You only need to enter the bond number once if it is the same for all renters.

| | | | |
|-------------|--|--|--|
| Renter name | | | |
|-------------|--|--|--|

| | | | | |
|-------------|--|-------------|----|--|
| Bond number | | Amount paid | \$ | |
|-------------|--|-------------|----|--|

| | | | |
|-------------|--|--|--|
| Renter name | | | |
|-------------|--|--|--|

| | | | | |
|-------------|--|-------------|----|--|
| Bond number | | Amount paid | \$ | |
|-------------|--|-------------|----|--|

| | | | |
|-------------|--|--|--|
| Renter name | | | |
|-------------|--|--|--|

| | | | | |
|-------------|--|-------------|----|--|
| Bond number | | Amount paid | \$ | |
|-------------|--|-------------|----|--|

| | | |
|--------------------------|----|--|
| Total amount paid | \$ | |
|--------------------------|----|--|

PART 9: CLAIM DETAILS - WHAT DO YOU WANT VCAT TO DO?

20. What orders do you want VCAT to make?

You need to tell us the relevant section number of the *Residential Tenancies Act 1997* that relates to your claim, if you can, and what orders you want VCAT to make.

You may also have to provide specific information or documents to support your application. If you do not provide information or documents that VCAT needs, your application may be delayed.

To see a list of common disputes we hear and their section numbers, go to www.vcat.vic.gov.au/rentingnotice.

21. Provide more details about your claim.

You must give complete details about your claim, including:

- how you have calculated any amounts you are asking for
- why you are asking for the above orders.

This will help the respondent understand why you have made this application. If you need more space, you can attach a document setting out the details of the claim.

PART 10: OTHER VCAT CASES

22. Is there, or has there been, a related case at VCAT involving the same applicant/s and respondent/s?

- No
- Yes, provide the VCAT reference number/s

PART 11: HEARING ARRANGEMENTS

We offer a range of support services for people with disability, those who need an interpreter and to help with accessibility

23. Do you or anyone mentioned in this application need special assistance at the hearing?

Help accessing the venue (e.g. wheelchair access)

Interpreter required

Language:

Assisted communication (e.g. assistive listening device or hearing loop)

Attend the hearing by phone or video link

Other

Provide more detail about who needs the forms of assistance you have indicated and why.

PART 12: SERVICE OF APPLICATION

You must send (serve) a copy of this application on the respondent/s within seven days of submitting it to VCAT. However, if your application is about an urgent matter, you should serve the application immediately.

You will need to provide evidence that you have sent the application to the respondent at the hearing.

If the respondent lives interstate, you must take additional steps when sending them a copy of your application. Contact VCAT for further information or go to www.vcat.vic.gov.au/form4.

24. When will you serve the respondent/s?

Date of service (DD/MM/YYYY)

25. How will you serve the respondent/s?

You can only send documents to other parties by email if you have already exchanged information with them this way. Otherwise, send documents by post or give them in person.

By electronic means (e.g. email)

By standard post

By registered post


By handing the application to the respondent personally

PART 13: INTERSTATE PARTIES

26. To your knowledge, are any of the parties renter (tenant) or rental provider (landlord) an individual who resides in an Australian state other than Victoria?

We cannot hear applications where an individual in your dispute resides interstate. For more information, see: www.vcat.vic.gov.au/interstateparties.

Yes No

 If 'Yes', do not use this form. You can apply to the Magistrates' Court of Victoria.

PART 14: ACKNOWLEDGEMENT

By completing this application, I understand and acknowledge that:

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

Date of acknowledgement (DD/MM/YYYY):

PART 15: APPLICATION CHECKLIST

Ensure you do the following:

- Attach documents that must be included for the application you are making (see www.vcat.vic.gov.au/rentingnotice)
- Make a copy of this application for your own records
- Send (serve) a copy of your completed application to the respondent/s immediately
- Send (serve) a copy of any supporting documents you will refer to at the hearing to every person mentioned in this application well before the hearing
- If the respondent lives interstate, send a Form 4 and complete an affidavit of service – see www.vcat.vic.gov.au/form4

ABOUT VCAT FEES

VCAT fees are charged according to three levels:

- **corporate fees** for businesses and companies with a turnover of more than \$200,000 in the previous financial year, corporate entities and government agencies
- **standard fees** for individuals, not-for-profit organisations, and small businesses and companies with a turnover of less than \$200,000 in the previous financial year. Companies must provide a statutory declaration to support this claim
- **concession fees** for people who hold the Australian Government Health Care Card. You must provide a copy of your card with your application.

To find out if you need to pay an application fee and how much it costs, go to www.vcat.vic.gov.au/fees.

FEE RELIEF

We can reduce or not charge (waive) a VCAT fee in certain circumstances.

Some people are automatically entitled to a full fee waiver. You can also apply for fee relief if paying the fee would cause you financial hardship.

For more information about fee relief, go to www.vcat.vic.gov.au/feerelief.

Are you applying for fee relief?

- No, go to **Fee payment** section
- Yes, complete **Fee relief form** and attach it to this application form

FEE PAYMENT

Complete this section unless you are applying for fee relief, no fee is payable or you wish to pay using another method. For other payment options, see www.vcat.vic.gov.au/howtopay.

Choose the fee level: Standard Corporate Concession

Fee amount charged

Card details

Cards accepted: VISA MasterCard

Cardholder name:

Card number:

Card expiry (mm/yy):

REMOVE THIS PAGE WHEN SENDING A COPY OF THIS APPLICATION TO OTHER PARTIES

SUBMITTING THIS APPLICATION

If you have supplied your credit card details, send your completed form to us by post or give it to us in person.

If you have not provided your credit card details on this form, you can submit your application to us by email, post or in person.

To protect yourself, do not send credit card details over email.

By email

Email renting@vcat.vic.gov.au

In person

Go to:

Victorian Civil and
Administrative Tribunal
Ground Floor, 55 King Street,
Melbourne VIC 3000

By post

Send to:

The Registrar
Residential Tenancies List
Victorian Civil and
Administrative Tribunal
GPO Box 5408 Melbourne VIC
3001

WHAT HAPPENS NEXT

We will review your application and contact you if we need more information. We will send you and everyone else named in the application a Notice of Hearing. The notice will tell you the location, time and date you must come to the hearing.

Bring a copy of your application form and any supporting documents to the hearing. This may include the rental agreement, condition report, bond receipt and photos.

For more information go to: www.vcat.vic.gov.au/afterapplyrenting.

PRIVACY INFORMATION

For a copy of VCAT's privacy statement, go to www.vcat.vic.gov.au/privacy.