# Payment Plan Agreement

# to adjourn possession applications

# under s91ZM

You can use this form where a residential rental provider has applied to VCAT for a possession order because of rent owing and the parties have made a **Payment Plan Agreement**.

On receiving this Payment Plan Agreement VCAT will recognise it by making orders **without** holding a hearing. We encourage parties to lodge this agreement **as early as possible**, so that listing time can be allocated to other matters.

If a hearing has been scheduled, VCAT will cancel the hearing, provided this document is lodged **at least seven business days before the hearing date**. If you reach an agreement after that date, the hearing will proceed and the payment plan can be presented at the hearing.

If the renter does not comply with the **Payment Plan Agreement**, the residential rental provider may ask for a hearing, at which time the Tribunal will consider whether a possession order should be made. VCAT will list a new hearing with priority.

**YOU MUST COMPLETE THE FORM IN FULL**

|  |
| --- |
| APPLICATION DETAILS |
| **VCAT reference number: R202**     **/**            |
| **Date of hearing (if one has been allocated):       /       /** |
| **Residential Rental provider/s:** |
| **Renter/s:** |
| **Address of rented premises:**  |

|  |
| --- |
| CONFIRMATION OF AGREEMENT  |
| I confirm that:[ ]  The residential rental provider and renter have agreed to this payment plan.[ ]  To the best of my knowledge, all information provided in this document is true and correct.Name of residential rental provider or agent signing this form:                       Signature of residential rental provider or agent:                                           **NOTE:** *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.* |

|  |
| --- |
| PAYMENT PLAN AGREEMENT  |
| **Date of agreement:       /       /** |
| **Rent owed as at the date of this agreement:** Amount: $       |
| **Payment plan agreement:** 1. The renter agrees to pay the residential rental provider the following sums towards rent owed on or before the dates specified:Date:       /       /        Amount: $      Date:       /       /        Amount: $      Date:       /       /        Amount: $      Date:       /       /        Amount: $      **AND / OR**2. The renter agrees to pay the [ ]  weekly [ ]  fortnightly [ ]  calendar monthly rent of $       together with $       (*additional amount towards rent owing*), currently a total of $      , each and every [ ]  week [ ]  fortnight [ ]  calendar month starting on       /       /        (*insert the date payments will commence* ***after*** *the date of this agreement*).This payment plan will continue until the rent owing is fully paid and the rent is one [ ]  week [ ]  fortnight [ ]  calendar month in advance, in accordance with the rental agreement. |
| **Adjournment and date for renewal:**The residential rental provider and the renter agree that if the renter fails to follow the payment plan, the residential rental provider can request a further hearing, provided the request is made by       /       /       , otherwise the application will be considered withdrawn.**NOTE:** *Insert a date above that is after the date by which the parties have calculated that the rent owed will be fully paid and the rent paid in advance.* |