

# APPLICATION TO REOPEN AN ORDER

Use this form to apply to VCAT for a review of an order that affects you, on the grounds that you did not appear and were not represented at the hearing.

This is called an application under section 120 of the *Victorian Civil and Administrative Act 1998*.

## FEES

You must pay a fee if your application is in the Civil, Administrative or Planning and Environment Divisions.

There is no application fee if your case is in the Residential Tenancies or Human Rights Divisions.

VCAT fees are charged according to three levels:

- **corporate** fees for businesses and companies with a turnover of \$300,000 or more in the previous financial year, corporate entities, schools and government agencies
- **standard** fees for individuals, not-for-profit organisations, and small businesses and companies with a turnover of less than \$300,000 in the previous financial year. Companies must provide a statutory declaration to support this claim
- **concession** fees for people who hold an Australian health care card, pensioner concession card or a veteran gold card. You must provide a copy of your card with your application.

To find out how to pay an application fee and how much it costs, visit [www.vcat.vic.gov.au/fees](http://www.vcat.vic.gov.au/fees).

## LODGING THIS FORM

Your application must arrive at VCAT within 14 days of the day you became aware of the order.

### What we consider

We may hear and determine your application if we are satisfied that:

- you had a reasonable excuse for not attending and were not represented at the hearing.
- you have a reasonable case to argue about the subject matter of the order, and
- any prejudice is not caused to another party if the application is heard and determined.

### What happens after applying

We tell all parties where and when to attend VCAT to consider your application.

You need to bring any documents that support your reasons for not attending or being represented at the hearing.

If your application is successful, the original order is suspended pending the further hearing of the matter. Another hearing will be scheduled on the same day we hear your application or a later day. If your application is unsuccessful, the original order remains in place.

You can only apply for a review of an order once, unless VCAT gives you permission to apply again.

## NEED HELP WITH YOUR APPLICATION?

Contact 1300 01 8228 between 9 am to 4.30 pm Monday to Friday.

## YOUR DETAILS

I,

\_\_\_\_\_

[Full name]

of

\_\_\_\_\_

[Address]

make this application under section 120 of the *Victorian Civil and Administrative Tribunal Act 1998*.

My contact number is \_\_\_\_\_

My email address is \_\_\_\_\_

## ABOUT YOUR CASE

The VCAT reference number for the case is: \_\_\_\_\_

I first became aware of the order on the following date: \_\_\_\_\_

\_\_\_\_\_

[dd/mm/yyyy]

I first became aware of the order in this way:

The reason I did not attend and I was not represented at the original hearing is:

I have a reasonable case to argue about the subject matter of the original order because:

## CERTIFICATION

By ticking this box, I certify 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 Act 1998* to knowingly give false or misleading information to VCAT.

Date of acknowledgement (dd/mm/yyyy):

/ /

## FEE RELIEF

There is no application fee if your case is in the Residential Tenancies or Human Rights Divisions.

If your case is in the Civil, Administrative or Planning and Environment Divisions, 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, visit [www.vcat.vic.gov.au/feerelief](http://www.vcat.vic.gov.au/feerelief).

Are you applying for fee relief?

No – complete the fee payment section below.

Yes – complete the Application for Fee Relief form and attach it to this application form.

## FEE PAYMENT

Complete this section unless you are applying for fee relief or no fee is payable.

If you would like to pay by EFTPOS, cash or money order, see [www.vcat.vic.gov.au/fees](http://www.vcat.vic.gov.au/fees).

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

## WHERE TO LODGE THIS APPLICATION

If you have supplied your credit card details, send your completed form to us by post.

If you have not provided your credit card details on this form, you can send your completed form to us by post or email.

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

### By email

Email your completed form to the area in VCAT that is dealing with your case.

#### Residential Tenancies Division

For cases about:

- Renting a Home

Email: [renting@courts.vic.gov.au](mailto:renting@courts.vic.gov.au)

#### Human Rights Division

For cases about:

- Disability Act
- Equal Opportunity
- Guardianship and Administration
- Health and Privacy
- Mental Health
- Powers of Attorney

Email: [humanrights@courts.vic.gov.au](mailto:humanrights@courts.vic.gov.au)

#### Planning and Environment Division For

cases about:

- Land Valuation
- Planning and Environment

Email: [admin@courts.vic.gov.au](mailto:admin@courts.vic.gov.au)

#### Civil Division

For cases about:

- Building and Construction
- Co-owned Land and Goods
- Goods and Services
- Owners Corporations
- Retail and Commercial Leases
- Unreasonable Flow of Water Between Properties

Email: [civil@courts.vic.gov.au](mailto:civil@courts.vic.gov.au)

#### Administrative Division For

cases about:

- Legal Practice
- Review and Regulation

Email: [admin@courts.vic.gov.au](mailto:admin@courts.vic.gov.au)

### By post

VCAT  
GPO Box 5408  
Melbourne VIC 3001

### In person

You can submit your application in person at one of our venues. To find your closest venue, visit [vcat.vic.gov.au/visit](http://vcat.vic.gov.au/visit)