

APPLICATION ABOUT SPECIALIST DISABILITY ACCOMODATION DISPUTE

ABOUT THIS FORM

Use this form if you have a dispute about a specialist disability accommodation (SDA) dwelling you live in or manage.

Apply about an SDA dwelling

An SDA dwelling is a property or building registered with the National Disability Insurance Agency to provide specialist housing solutions. Accommodation is provided for people with very high support needs, such as people who have extreme functional impairment.

There are many types of applications you can make under the Residential Tenancies Act 1997. Refer to our application guides for more information:

- if you have an SDA residency agreement, go to vcat.vic.gov.au/sda-guide
- if you are an SDA resident in occupation of an SDA dwelling and want to establish an SDA residency agreement, or verify the status of a residency agreement, go to vcat.vic.gov.au/sda-guide
- if you have a residential rental agreement (lease) you want to end because you are an SDA resident and you were not given the correct information, or you were deceived or coerced into the agreement – indicate you are applying under ‘Section 91YA of the Residential Tenancies Act 1997’ in Question 23 of this form.

SPECIALIST DISABILITY ACCOMMODATION

1. What type of residential agreement do you have?

- SDA residency agreement Residential rental agreement (lease)
– application fees apply

2. Provide the address of the SDA dwelling:

Street address

Suburb State Postcode

ABOUT THE APPLICANT

3. Who is the applicant?

- Resident living in an SDA dwelling Disability service provider
 Specialist disability accommodation (SDA) provider
- Other, please specify:

4. Is the applicant an individual, an organisation or a company?

If you are an individual:

Given names

Family name

Do you wish to be identified as a person of Aboriginal and/or Torres Strait Islander descent?

- Yes No

If you are an organisation or company:

ABN or ACN

Organisation or company name

5. What is your address?

This will be the address VCAT uses to correspond with you. If you have a representative, you can provide their address and all correspondence will be sent to your representative's address.

Street address

Suburb State Postcode

Phone number

Email

By providing us with your email, you consent to VCAT updating you about your application by email. This email address can be your representative's email address.

IS SOMEONE REPRESENTING YOU?

6. Do you have a representative?

For example, an agent, support worker, advocate, etc.

- Yes No, skip to Question 9

7. Is the representative an individual, an organisation or a company?

If your representative is an individual:

Given names

Family name

If your representative is an organisation or company:

Name of organisation or company:

ABN/ACN:

Contact person:

8. Address

All correspondence will be sent to your representative's address.

Street address

Suburb State Postcode

Phone number

Email

ABOUT THE RESPONDENT

The person you are making your claim against is the respondent.

9. Who is the respondent?

Resident living in an SDA dwelling

Disability service provider

Specialist disability accommodation (SDA) provider

Other, please specify:

10. Is the respondent an individual, an organisation or a company?

If the respondent is an individual:

Given names

Family name

If the respondent is an organisation or company:

ABN or ACN

Organisation or company name

Contact person

11. What is the respondent's address?

If you do not know the respondent's address, provide the address of their representative and all correspondence will be sent to the representative's address. PO Box is insufficient.

If the respondent lives interstate, you must send Form 4 along with your application to the respondent. Download the form at www.vcat.vic.gov.au/form4.

Street address

Suburb State Postcode

Phone number

Email

IS SOMEONE REPRESENTING THE RESPONDENT?

12. Does the respondent have a representative (for example, an agent, support worker, advocate)?

Yes No, skip to Question 15 Don't know, skip to Question 15

13. Is the respondent's representative an individual, an organisation or a company?

If their representative is an individual:

Given names

Family name

If their representative is an organisation or company:

ABN or ACN

Organisation or company name

Contact person

14. What is the representative's address?

All correspondence will be sent to the representative's address.

Street address

Suburb State Postcode

Phone number

Email

GUARDIAN OR ADMINISTRATOR

15. Does the resident have a guardian or administrator?

Yes No, skip to Question 19 Don't know, skip to Question 19

16. Indicate which of the following the resident has:

Guardian
 Administrator

17. Who is the guardian or administrator?

If their guardian or administrator is an individual:

Given names

Family name

If their guardian or administrator is an organisation or company:

ABN or ACN

Organisation or company name

Contact person

18. What is the guardian or administrator's address?

All correspondence will be sent to their address.

Street address

Suburb State Postcode

Phone number

Email

If you need to provide the details of more than one person, attach a separate sheet to your application.

ADDITIONAL PARTIES

If there are other people you have not yet mentioned that will be impacted by your application, provide their details. For example, a co-renter listed on your residential rental agreement.

19. Name:

Given names

Family name

20. What is your relationship to this person?

21. Address of the additional party:

Street address

Suburb State Postcode

Phone number

Email

If you need to provide the details of more than one person, attach a separate sheet to your application.

PENDING OR PREVIOUS RESIDENTIAL TENANCIES LIST FILE NUMBER/S

22. Are there any other VCAT disputes involving the same parties to be heard by VCAT?

No

Yes, provide VCAT reference numbers below:

VCAT reference number

CLAIM DETAILS – WHAT DO YOU WANT VCAT TO DO?

23. This section tells VCAT and other parties what orders you want VCAT to make. Please include the section number of the *Residential Tenancies Act 1997* you are applying under.

For help finding the relevant section number, please visit our website vcat.vic.gov.au/sda-guide

You must give complete details about your claim so the respondent understands why you have made your application and what orders you want VCAT to make. If you do not provide enough information, your case may be struck out or delayed. If you need more space, attach a document setting out your reasons.

HEARING ARRANGEMENTS

We offer a range of support services for people with disability, Aboriginal and Torres Strait Islander peoples and people with language difficulties.

We have security officers present and provide airport-style security scanning at our main venues. But we can arrange for extra security.

Let us know of your needs so we can make arrangements for the hearing.

24. Does anyone attending the hearing require any special assistance?

Yes No Don't know

If yes, tell us who needs any other type of special assistance and what they require:

25. Does anyone attending the hearing require an interpreter?

Yes No Don't know

If yes, tell us who needs an interpreter and for what language:

26. Does anyone attending the hearing require extra security?

Yes No Don't know

If yes, tell us who has concerns about their personal safety at the hearing and why:

SEND A COPY OF YOUR APPLICATION TO THE RESPONDENT

You must send a copy of this application to the respondent.

If the respondent lives interstate, you must send Form 4 along with your application to the respondent. Download the form at www.vcat.vic.gov.au/form4.

If you are a person with disability, we can send your application and supporting documents to other parties on your behalf.

27. Are you a person with disability and want VCAT to send the application to other parties on your behalf?

Yes, skip to Acknowledgement No

28. When will you send your application to the respondent?

Date of service (DD/MM/YYYY)

29. How will you send documents to the respondent?

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 Deliver in person

ACKNOWLEDGMENT

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.
- I will send a copy of my completed application to the respondent(s) named in this application (or I have indicated in Question 27 that I am a person with disability and want VCAT to do this on my behalf).

Date of acknowledgement (DD/MM/YYYY):

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SUPPORTING DOCUMENTS

Provide supporting documents from the list below that are relevant to your application:

- Prescribed form(s):**
For example, Breach of Duty Notice, Notice of Temporary Relocation.
- Notice to Vacate or Notice of Intention to Vacate**
If your application is about asking or being asked to leave the property.
- Report from Consumer Affairs Victoria**
If your application is about non-urgent repairs or a proposed rent increase.
- Other supporting documents**
Other supporting documents relevant to your application. Refer to the application guides.

ABOUT VCAT FEES

If your dispute is about an SDA dwelling and you have a residential rental agreement (lease), fees apply.

There are no fees if your dispute is about an SDA dwelling and you have an SDA residency agreement.

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 if you need to pay an application fee and how much it costs, go to 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 vcat.vic.gov.au/fees/concessions-fee-relief.

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 or no fee is payable.

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

AFTER SUBMITTING YOUR APPLICATION

VCAT will send you and all the other parties a Notice of Hearing. The notice will tell you the venue, time and date you must come to the hearing.

Bring to your hearing:

- a copy of your application form and any supporting documents
- proof you gave the other party any relevant notices (such as a notice to vacate)
- proof you sent the application and any supporting documents to the other party (unless you are a person with disability and asked VCAT to do this for you in Question 29).

SUBMITTING THIS APPLICATION

Submit your application either by email, by post or delivering it in person.

By email

Email renting@courts.vic.gov.au

By post

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

Delivering it in person

VCAT
308 La Trobe Street
Melbourne VIC 3000

NEED HELP WITH YOUR APPLICATION?

If you have any questions about completing this form, contact us by email, phone or in person.

By email

Email renting@courts.vic.gov.au

By phone

Call us between 9 am and 4.30 pm Monday to Friday on 1300 01 8228

In person

Our office is located at 308 La Trobe Street, Melbourne VIC 3000.

We are open Monday to Friday from 8.30 am to 4.30 pm.

PRIVACY STATEMENT

If you wish to know how VCAT may use the information you provide, refer to VCAT's privacy statement on the website (www.vcat.vic.gov.au/privacy). In most situations, VCAT is not allowed to publicly disclose information about a person apart from publishing decisions, repeating anything said or done at a public VCAT hearing and allowing the public to search the register and files.