



The CTTT brochure 'What happens at the Tribunal?' must be read before completing this form.
 This brochure and other CTTT forms are available at www.cttt.nsw.gov.au or from CTTT Registries.

A copy of this application and any attached information will be provided to the other party.

1. Suburb or place where conveyancing services were purchased or supplied

(OR if purchased through a website, what was the internet address?)

NSW

2. Your Name

(Your full name/s as shown on your purchase or service agreement)

Your postal address for Notices

Daytime telephone:

NSW

3. Who is the application against?

Respondent's postal address for Notices

Daytime telephone:

Refer to No. 7 of the Guidelines

NSW

4. Respondent's ACN

(Australian Company Number)

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5. Is an interpreter needed?

What language/s? Other special needs?

For Applicant	For Respondent

6. What order or orders do you want?

You must estimate a dollar amount for the order(s) you want. The monetary limit for a consumer claim is \$30,000. (You may tick more than one box)

- An order to pay to me the amount of
- An order that I do not have to pay the amount of or refund the amount of
- * An order to return documents in possession or control of another party

\$
\$
\$

Total value of claim \$

*You must also specify the documents that you want returned. (if applicable).

7. Give as much information as possible about the agreement you have with the respondent.

(Describe briefly the services, their price, the amount you paid, when you received the goods or services.)

8. List all Tribunal reference numbers

for previous applications involving the same dispute

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9. If there are any exceptional circumstances

which would stop you from attending a hearing in the next 28 days, provide details

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OFFICE USE ONLY:

File No: _____

Product Code: _____

Practice Code: _____

Guidelines for completing an application in the General Division

1 Place of Contract or Supply

The Tribunal can hear matters where the contract was entered into, goods supplied or services given in New South Wales. If the place of contract is not clear, you should seek legal advice.

2 Who can lodge an application?

A consumer or conveyancer can lodge an application.

3 Are you a 'consumer'?

If a supplier has supplied or agreed to supply goods or services, whether under contract or not, **and** if you are one of the following, you can lodge an application as a consumer:

- a natural person, or
- a firm, or
- a small proprietary company, or
- an owners corporation constituted under the *Strata Schemes Management Act 1996*, or
- a company that owns an interest in land and has a memorandum or articles of association conferring on each owner of shares in the company a right to occupy under a lease or licence a part or parts of a building erected on the land, or
- an incorporated association, or
- an unincorporated body whose members are associated for a common purpose, or
- a company limited by guarantee (not being a company limited both by shares and by guarantee).

4 How services defined?

Services includes any rights, benefits, privileges or facilities that are, or are to be, provided, granted or conferred in trade and commerce, **but does not include:**

- rights or benefits being the supply of goods or the performance of work under a contract of employment.
- assurance cover in respect of a person's life.
- matters arising in relation to the fairness of a bill charged by a barrister or solicitor.

5 Are there any time limits for lodging an application

- Notification of a costs dispute must be made within 60 days after the conveyancer has delivered to the client an account or Bill of Costs being the subject of the dispute. (Clause 12 of the *Conveyancing Licensing Regulation 2006*)
- The Tribunal in certain circumstances has a discretion to extend time. (Section 81 of the *Consumer, Trader and Tenancy Tribunal Act 2001*).

6 What orders can I claim for?

You may claim for:

- the payment of a specified sum of money
- relief from paying a specified sum of money
- return of specified documents
- a combination of the above.

7 Who is the party you are claiming against?

The **supplier** is defined as a person who in the course of carrying on a business, supplies goods or services.

The Tribunal can only make orders against a legal entity.

However, often a contract or invoice will not stipulate the full registered name of the company or business and may only state the trading name, for example '*John Smith Conveyancing*' and this not a legal entity.

The most common legal entities are:

- A corporation, eg '*Kenram Pty Ltd*' or
- A sole trader, eg '*John Smith trading as John Smith Conveyancing*'
- A natural person, eg '*John Smith*' or
- Natural persons in a partnership, eg '*John Smith & Mary Smith trading as John & Mary Smith Conveyancing*' or
- An owners corporation, eg '*Owners Corp Strata Plan 00001*' or
- An incorporated association, eg '*Kenram Inc.*'

It is your obligation to identify the parties to an application and the address for service.

- Applicants may search on the ASIC National Names Index website: www.asic.gov.au or contact the Office of Fair Trading for further information.
- A recent company or business search will give the address of a company and this address will be the one to which the Tribunal will serve copies of the application and all notices.
- The legislation requires that you must provide this information. If you do not give the Tribunal the correct name for the respondent, the Tribunal will not be able to deal with your application.

8 Special Procedures for Conveyancing Disputes

The application form acts as both notification of a dispute and as an application to the Tribunal. Upon receipt of the application form the Tribunal will determine if the matter should be referred to an independent expert for resolution of the dispute. In most cases an expert report will only be obtained if the disputed amount is in excess of \$1,000.00.

If the Tribunal does not refer the claim to an independent expert, the matter will be listed for conciliation and/or hearing. The parties will be notified of a hearing date within 28 days of lodgement of the application.

If an expert report is required, there will be an additional cost as each party will be required to share the costs of the report. If the report is accepted by the parties, legally binding orders in accordance with the expert's report will be made by the Tribunal and forwarded to both parties. If the report is disputed the matter will be listed for hearing before the Tribunal.

Information for Non-English Speaking People

If you need interpreting or translating help, telephone the Translating and Interpreting Service (TIS) office in your State.

Telephone interpreting is available 24 hours a day, 7 days a week on 131 450.

The translation service operates during business hours.

ARABIC

إذا كنت بحاجة للمساعدة في الترجمة الشفهية أو الكتابية، اتصل بمكتب خدمة الترجمة الكتابية و الشفهية (TIS) في الولاية حيث تقم بتوافر الترجمة الشفهية على الهاتف 131450. 24 ساعة في اليوم 7 أيام في الأسبوع ساعات العمل للخدمات في الترجمة الكتابية خلال ساعات الدوام.

CHINESE

如果您需要口譯或筆譯服務，請打電話給您所在州的翻譯服務處（TIS）。電話口譯每週 7 天，每天 24 小時提供服務，電話號碼 13 1450。筆譯服務僅在辦公時間內提供。

CROATIAN

Ako su Vam potrebne usluge tumača ili prevoditelja, nazovite Službu za prevodenje i tumačenje (TIS) u Vašoj državi. Telefonska prevodilačka služba stoji Vam na usluzi 24 četiri sata dnevno, 7 dana u tjednu ako nazovete 13 1450. Služba pismenog prevodenja na usluzi Vam je za vrijeme redovnog radnog vremena.

GREEK

Εάν χρειάζεστε εξυπηρέτηση από διερμηνέα ή μεταφραστή, τηλεφωνήστε στο γραφείο Μεταφραστών και Διερμηνέων (TIS) στην Πολιτεία σας. Η υπηρεσία διερμηνέων μέσω τηλεφώνου διατίθεται 24 ώρες την ημέρα, 7 μέρες την εβδομάδα στον αριθμό 13 1450. Η υπηρεσία μεταφραστών λειτουργεί κατά τις κανονικές ώρες εργασίας.

INDONESIAN

Sekiranya anda memerlukan bantuan penerjemah lisan (juru bahasa), silahkan menelepon Kantor di negara bagian anda. Pelayanan penerjemahan lisan melalui telepon tersedia selama 24 jam 7 hari seminggu pada nomor 13 1450. Pelayanan penerjemah bahan tertulis tersedia selama jam-jam kerja.

ITALIAN

Per ottenere l'aiuto di un interprete o di un traduttore telefona al servizio traduzioni e interpreti (TIS) nel tuo stato di residenza. Per avvalerti di un interprete puoi telefonare al numero 13 1450, 24 ore al giorno, 7 giorni la settimana. Il servizio traduzioni opera durante il normale orario di ufficio.

JAPANESE

通訳や翻訳のサービスが必要な方は、今いらっしゃる州の通訳、翻訳サービス(TIS)に連絡してください。電話通訳サービスは週日、週末を問わず、24時間いつでも利用できます。電話番号は13 14 50です。翻訳サービスはビジネス時間に受け付けています。

KOREAN

만약 당신이 통역이나 번역의 도움이 필요하시면 주정부의 「번역 및 통역 서비스」(TIS)기관에 전화하십시오. 전화번호 131 450으로 거시면 하루 24시간 주 7일 전화통역이 가능하며 번역서비스는 비즈니스 시간 동안 운영됩니다.

LAO

ຖ້າວ່າທ່ານຕ້ອງການຄວາມຊ່ວຍເຫຼືອເຮືອງມາຍພາສາ ຫຼືວ່າການແປທັງສີ່ໂທລະສັບຫາຕ້ອງການບໍລິການມາຍພາສາແລະການແປທັງສີ່ (TIS) ຢູ່ຮັດຂອງທ່ານ ມາຍພາສາທາງໂທລະສັບມີໄວ້ຮັບໃຊ້ 24 ຊົ່ວໂມງຕໍ່ມື້, 7 ມື້ຕໍ່ອາທິດຕາມເມໂບ 131 450 ບໍລິການແປທັງສີ່ເປີດຍາມໂມງເຮັດວຽກ

MACEDONIAN

Ako vi e potrebna pismena ili usmena prevodувачка pomoш, telefoniрајте во канцеларијата за писмени и усмени преводувачки услуги (TIS) во вашата држава. Преводуваче преку телефон стои на располагање 24 часа во денот, седум дена во неделата на број 13 1450. Писмената преводувачка служба работи во нормално бизнисно работно време.

PORTUGUESE

Se necessita de ajuda para interpretação ou tradução, telefone ao escritório do Serviço de Intérpretes e Tradutores (TIS) no seu Estado. Pode obter um Intérprete pelo telefone 24 horas por dia, 7 dias por semana ligando para 13 1450. O serviço de traduções funciona durante as horas de expediente.

RUSSIAN

Если Вам требуются услуги устного или письменного переводчика, позвоните в Переводческую Службу (TIS) в нашем штате. Перевод по телефону предоставляется круглосуточно 7 дней в неделю по номеру 13 1450. Служба письменного перевода работает в обычные часы работы учреждений.

SERBIAN

Ako su Vam potrebne usmene ili pismene prevodilačke usluge, obratite se telefonom Službi za usmeno i pismeno prevodjenje (TIS) u svojoj državi. Telefonske prevodilačke usluge su na располагању 24 сата сваког дана на телефон 13 1450. Писмено преводjenje се врши у току нормалног радног времена.

SPANISH

Si necesita asistencia en materia de interpretación o traducción sírvase llamar al Servicio de Traducción e Interpretación (TIS) en su estado. El servicio telefónico de interpretación opera las 24 horas del día, 7 días a la semana en el teléfono 13 1450. El servicio de traducción está abierto durante horas de oficina.

TURKISH

Yazılı veya sözlü çevirmenliğe gerek duyuyorsanız, eyaletinizdeki Yazılı ve Sözlü Çeviri Servisine (TIS e) telefon ediniz. Telefonda çeviri, günün 24 saatinde ve haftada 7 gün, 13 1450 numarada mevcuttur. Yazılı Çeviri Servisi çalışma saatleri içinde faaliyet gösterir.

VIETNAMESE

Nếu cần được giúp đỡ về thông ngôn và phiên dịch, xin điện thoại cho Sở Thông Ngôn và Phiên Dịch (TIS) tại Tiểu Bang của quý vị. Dịch vụ thông ngôn qua điện thoại phục vụ 24 giờ mỗi ngày, 7 ngày một tuần, điện thoại số 13 1450. Dịch vụ phiên dịch chỉ hoạt động trong giờ làm việc.