

CONSUMER, TRADER AND TENANCY TRIBUNAL
NOTICE TO RENEW PROCEEDINGS

for the enforcement of certain Tribunal orders

Section 43 of the Consumer, Trader and Tenancy Tribunal Act 2001



CTTT
Consumer, Trader &
Tenancy Tribunal

If an order has not been complied with you may renew the application either:

- Within the time specified in the original Tribunal order; or
- If no time was specified, within 12 months of the date for compliance set out in the original Tribunal order.

Do not use this form if:

- A tenant has failed to comply with an order to give possession to the landlord. Lodge a separate 'Request for Issue of Warrant' request form available on www.cttt.nsw.gov.au. This warrant is enforced by the Sheriff's Office.
- A person has failed to comply with an order to pay money. Make a written request to the CTTT for a certified copy of the money order. This order is enforced through the Local or District Courts.
- You consider that orders made under the *Strata Schemes Management Act 1996* or *Community Land Management Act 1989* have not been complied with as that legislation provides separate procedures for non-compliance.

Division (Tick the appropriate box)

- | | | | |
|-------------------------------------|---|--|---|
| <input type="checkbox"/> General | <input type="checkbox"/> Home Building | <input type="checkbox"/> Residential Parks | <input type="checkbox"/> Tenancy |
| <input type="checkbox"/> Commercial | <input type="checkbox"/> Motor Vehicles | <input type="checkbox"/> Retirement Villages | <input type="checkbox"/> Social Housing |

Form 3 Non-compliance with Tribunal order - notice to renew proceedings

Schedule 3, Consumer, Trader and Tenancy Tribunal Regulation 2002

1. Your name

2. Your present address

3. Your address when original application was made

(if different from above)

4. What order have you already obtained?

5. Who was the order made against?

6. Date on which the order was made?

 / /

7. Tribunal's reference number

8. In what way has the order not been complied with?

9. What order do you want? (Tick where appropriate)

- An order for the payment of \$
- An order to rectify faulty goods or provide services
- An order to provide specified services
- An order that I do not have to pay \$
- An order to deliver goods
- An order to replace goods or services
- An order to return goods to me
- Other *(please specify)*

10. It is requested that the application be relisted

Signature:

Date: / /

Your Name:
(Please print)

Your Position:
(If company)

11. Address of the person or company who has not complied with the order

(Only if the address has changed since the order was made)

Additional Information:

- ADDITIONAL INFORMATION MAY BE ATTACHED. A copy of this form and any attachments will be sent to the other party with the Notice of Conciliation & Hearing.
- Attach all documents that support your notice to renew proceedings.

Section 43 Consumer, Trader and Tenancy Tribunal Act 2001

43 Enforcement of certain Tribunal orders

- (1) If the Tribunal makes an order in relation to any proceedings, the Tribunal may, when the order is made or later, give leave to the person in whose favour the order is made to renew the proceedings if the order is not complied with within the period specified by the Tribunal.
- (2) If an order has not been complied with within the period specified by the Tribunal, the person in whose favour the order was made may renew proceedings to which the order relates by lodging a notice with the Tribunal, within 12 months after the end of the period, stating that the order has not been complied with.
- (3) The provision of this Act apply to a notice lodged in accordance with subsection (2) as if the notice were an application made in accordance with section 24.
- (4) When proceedings have been renewed in accordance with this section, the Tribunal:
 - (a) may make any other appropriate order under this Act as it could have made when the matter was originally determined, or
 - (b) may refuse to make such an order.
- (5) This section does not apply if the operation of an order has been suspended.
- (6) A notice under this section must be in the form prescribed in the regulations.

Fee details: A fee must be paid with an application. Refer to the separate fee schedule. You may claim a concession and pay a fee of \$5.00 if you receive a Government pension, social security or education benefit, or hold a Seniors Card. If so, enclose a photocopy of your current pension or benefit card or Austudy advice. If this fee is payable and it is not paid, the application may be dismissed. Please make cheques payable to: Consumer, Trader and Tenancy Tribunal.

Return this application with fee to: Registrar, Consumer, Trader and Tenancy Tribunal

For all CTTT Registry Offices:

Telephone: 1300 135 399 Facsimile: 1300 135 247

Website: www.cttt.nsw.gov.au

Sydney Registry

Level 12, 175 Castlereagh Street
Sydney NSW 2000
GPO Box 4005, Sydney NSW 2001

Penrith Registry

Ground Floor, Cnr Belmore & Station Sts
Penrith NSW 2750
PO Box 988, Penrith NSW 2751

Liverpool Registry

Level 3, 33 Moore Street
Liverpool NSW 2170
PO Box 723, Liverpool BC NSW 1871

Tamworth Registry

Suite 3 - 5, Kable Komer Complex
Cnr Kable Ave & Darling St
PO Box 1003, Tamworth NSW 2340

Parramatta Registry

Level 2, 10 Valentine Street
Parramatta NSW 2150
PO Box 4117, Parramatta NSW 2124

Hurstville Registry

Level 3, 4 - 8 Woodville Street
Hurstville NSW 2220
PO Box 148, Hurstville BC NSW 1481

Wollongong Registry

Level 3, 43 Burelli Street
Wollongong NSW 2500
PO Box 319, Wollongong NSW 2520

Newcastle Registry

Level 1, 175 Scott Street
Newcastle NSW 2300
PO Box 792, Newcastle NSW 2300

OFFICE USE ONLY: