

File Number

ACT CIVIL AND ADMINISTRATIVE TRIBUNAL



**APPLICATION –
UNIT TITLES ACT 2001**

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APPLICANT'S DETAILS <i>(see attached information on who may file an application)</i>	
Name	
Status <i>(what are you)</i>	Owner Owner's Corporation
Address line 1	
Address line 2	
Telephone	Email: Fax:
APPLICANT'S REPRESENTATIVES DETAILS (IF ANY)	
Name	
Address line 1	
Address line 2	
Telephone	Email: Fax:
RESPONDENT'S DETAILS <i>(see attached information on who is the correct respondent. Use an attachment if there is more than one respondent.)</i>	
Name	
Status <i>(what is the respondent)</i>	Owner Owner's Corporation Insurer Director-General
Address line 1	
Address line 2	
Telephone	Email: Fax:

Attachments:

- Proposed building damage scheme
- Development approval *or* s.154(4) certificate issued by planning and land authority
- Copy of Minutes recording ordinary resolution (if applicant is owners corporation)

INFORMATION ABOUT UNIT TITLES ACT 2001 APPLICATIONS

When is this application form used?

This application form should only be used for an application for a building damage order to be made under the *Unit Titles Act 2001 (UT Act)*. A copy of the UT Act can be accessed at www.legislation.act.gov.au.

If you are not sure whether you should use this application form please contact the ACAT either in person (at the address below) or by telephone (62071740).

Applicant's and Respondent's details

Under Division 10.3 of the UT Act only the owners corporation (authorised by an ordinary resolution) or a unit owner may apply to the ACAT for a provisional building damage order.

You should check that you have named all relevant parties as respondents. Section 153 of the UT Act lists the parties that have a right of appearance of an application for a provisional or final building damage order.

Applicant's representative

If the applicant is represented by somebody other than a lawyer, then authorisation in accordance with the ACAT's procedural directions is required. If the application is filed by the representative this authorisation needs to be provided at the time the application is filed. If the applicant is an individual, a power of attorney will be required. If the applicant is a corporation then a power of attorney or affidavit of corporate representative should be filed.

Respondent's address

Before filing your application you should ensure that you have provided the correct address for service of each of the respondents. You may need to check the corporate register for the address for service of an individual unit owner, or the owners corporation.

Attachments

You must attach to your application copies of all relevant documents.

If the applicant is the owners corporation then a copy of the minutes recording the resolution to authorise the application should be filed.

Section 154(3) of the UT Act requires that an application be accompanied by the proposed building damage scheme and either a copy of the development approval or certificate issued under subsection 154(4) by the planning and land authority.

Filing the application

Applications may be lodged in person with the required fee between the hours of 9am and 4.30pm at the ACAT, Level 4, ACT Health Building, 1 Moore Street, Canberra City or by mail to GPO Box 370, Canberra ACT 2601.