

Application – Failure to comply with a Payment Order

ACAT File Number:

RT

Applicant/s Name:

Respondent/s Name:

RENTAL ADDRESS / ADDRESS OF PREMISES IN DISPUTE:

The applicant/s is/are applying for termination and possession order under section 49B(2) of the *Residential Tenancies Act 1997*. This application is supported by information in the attached statutory declaration.

Signature of applicant/s or applicant/s representative:

Name of applicant/s or applicant/s representative:

(Any representative who is not a lawyer must be properly authorised by a an Authority to Act for a Corporation or Power of Attorney)

Date:

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STATUTORY DECLARATION

Statutory Declarations Act 1959

1 Insert the name, address and occupation of person making the declaration

I,¹

make the following declaration under the *Statutory Declarations Act 1959*:

2 Set out matter declared to in numbered paragraphs

1. On _____, the ACAT made a payment order (copy attached).

2. The payment order is current and has not expired.

3. On _____, the tenant failed to make the following payment/s required by the payment order:

[Provide details. Attach another page if insufficient space]

4. The tenant failed to comply with the payment order in the last 60 days.

5. It is my belief that the tenant continues to live at the premises because:

[set out why you believe the tenant continues to live at the premises. Attach another page if insufficient space]

I understand that a person who intentionally makes a false statement in a statutory declaration is guilty of an offence under section 11 of the *Statutory Declarations Act 1959*, and I believe that the statements in this declaration are true in every particular.

3 Signature of person making the declaration

_____³

4 Place

Declared at ⁴_____

on ⁵_____

of ⁶_____

5 Day

6 Month and year

Before me,

7 Signature of person before whom the declaration is made

_____⁷

8 Full name, qualification and address of person before whom the declaration is made (*in printed letters*)

Note 1 A person who intentionally makes a false statement in a statutory declaration is guilty of an offence, the punishment for which is imprisonment for a term of 4 years — see section 11 of the *Statutory Declarations Act 1959*.

Note 2 Chapter 2 of the *Criminal Code* applies to all offences against the *Statutory Declarations Act 1959* — see section 5A of the *Statutory Declarations Act 1959*.