

Application – *Unit Titles Act 2001*

ACAT file number

UT

APPLICANT

See attached information on who may lodge an application. For multiple applicants, attach a separate page.

Name

If a company, include the ACN/
ARBN

Postal address

If a company, address
should be the
registered office

Email address

Telephone

Are you the Owner Owners Corporation

APPLICANT'S REPRESENTATIVE'S DETAILS (IF ANY)

A representative who is not a lawyer must lodge an *Authority to Act for a Corporation* or a *Power of Attorney*.

Name

Postal address

Email address

Telephone

NAME OF OWNERS CORPORATION

STREET ADDRESS OF UNITS PLAN

What orders or declarations do you seek?

Set out each order you seek and the section of the *Unit Titles ACT 2001* that applies: for example section 155, section 156, section 157. Attach a separate page if needed.

What are the reasons for your application?

State why you are applying to the ACAT. Attach a separate page if needed.

Attach the following documents to your application:

Proposed building damage scheme

Development approval or section 154(4) certificate issued by the Planning and Land

Authority Copy of Minutes recording ordinary resolution (if applicant is Owners Corporation)

**Signature of applicant
or applicant's
representative**

all applicants to sign

**Name of each person
signing the application**

Date

INFORMATION ABOUT APPLICATIONS UNDER THE *UNIT TITLES ACT 2001*

When is this form used?

This application form should be used to seek a provisional or final building damage order under the *Unit Titles Act 2001* (UT Act). The UT Act can be found at www.legislation.act.gov.au.

Who is the correct applicant?

Under Division 10.3 of the UT Act only the Owners Corporation (authorised by an ordinary resolution) **or** a unit owner can apply to the ACAT for a provisional building damage order. Section 153 of the UT Act lists who has a right of appearance at an application for a provisional or final building damage order.

Applicant's representative

A representative who is not a lawyer must be correctly authorised. If the applicant is an individual, a *Power of Attorney* is required. If the applicant is a corporation, an *Authority to Act for a Corporation* is required. These forms are available on the ACAT's website (www.acat.act.gov.au). If the application is signed by the representative, written authorisation should be provided to the ACAT when the application is lodged.

Attachments

You must attach all required documents. Section 154 of the UT Act requires that the following documents are attached to an application:

1. The proposed building damage scheme; and
2. Either a copy of:
 - (a) the development approval certified by the Planning Authority as a true copy; or
 - (b) a certificate issued under subsection 154(4); and
3. If the applicant is an owners corporation, a copy of the minutes recording the resolution to authorise the application.

Filing Fee

You must pay the correct fee when you lodge your application. The ACAT accepts cash, cheque and credit card payments over the counter, and bank cheque or credit card payments by post.

Serving the application

You (the applicant) must serve a copy of this application on the Owners Corporation, a unit owner or another person with an interest in a unit or the common property that is recorded on the corporate registry, and the Insurer. The ACAT will require you to provide proof that you have served the application on these entities.

The ACAT will serve the application on the Director-General.

More Information

You should refer to the ACAT's website (www.acat.act.gov.au) for information about:

- What to expect
- Case types: Unit Title Disputes
- Fees and forms
- Lodge and serve documents
- Conferences and mediations

Contact ACAT

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