

Form 3

Small Claims Court—application under Common Boundaries Act 1981, section 6 (1)

Common Boundaries Act 1981

In the Small Claims Court of the Australian Capital Territory

Application No _____ of (year) (*Court to complete*)

(name)
Applicant

(name)
Respondent

To the Registrar:

The applicant applies for a determination under the *Common Boundaries Act 1981*, section 7 (3).

Applicant

Full name:

Address:

(if the applicant is represented by another person)

Representative's full name:

Representative's address:

Respondent

Respondent's name:

Respondent's address:

Filed for the applicant by:

(the applicant's address for service and telephone number (if any) or, if the applicant is represented by a solicitor and the solicitor is the agent of another solicitor, the name and place of business of the other solicitor)

Details of application

- 1 The applicant occupies land situated at (*address*) being block (*number*), section (*number*), division of (*name of division*) (***the applicant's land***).
- 2 The respondent occupies land situated at (*address*), being block (*number*), section (*number*), division of (*name of division*) (***the respondent's land***).
- 3 The applicant proposes that the fence separating the applicant's land and the respondent's land be *[repaired/replaced]. Particulars of the proposed *[repair/replacement] of the fence are as follows:
(set out details of proposed repair or replacement)
- 4 The cost of the proposed *[repair/replacement] of the fence is \$ (*amount*). The applicant proposes that the respondent contribute \$ (*amount*).
- 5 On (*date*), the applicant gave the respondent a notice in writing requesting the respondent to discuss the *[repair/replacement] of the fence between the applicant's land and the respondent's land.
- *6 The respondent has refused to join in the *[repair/replacement] of the fence.
- *6 The applicant and respondent have not been able to agree upon the following matters:
(set out the matters that cannot be agreed)

Date:

(signature of applicant or applicant's representative)

(name of applicant or applicant's representative)

**omit if, or whichever is, inapplicable*