

## Application – Unit Titles Act 2001

ACAT file number

UT

### 1. 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**  
(preferred contact)

**Telephone**

Are you the  Owner  Owners Corporation

ACAT will use these details to communicate with you.

### 2. APPLICANT'S AUTHORISED REPRESENTATIVE (IF ANY)

A representative who is not a lawyer must lodge a *Power of Attorney* (for an individual) or an *Authority to Act for a Corporation* (for any other legal entity).

**Name**

**Postal address**  
(if a company, address should  
be the registered office)

**Email**  
(preferred contact)

**Telephone**

If you have an authorised representative, ACAT will communicate with your representative.

A copy of this application form will be provided to the applicant, the respondent and any other party. ACAT hearings are usually open to the public and information provided to ACAT may be publicly available. If you have concerns about your information being made public please contact the Registry.

**3. NAME OF OWNERS CORPORATION**

**4. STREET ADDRESS OF UNITS PLAN**

**5. 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).

**6. WHAT ARE THE REASONS FOR YOUR APPLICATION?**

State why you are applying to the ACAT (attach a separate page if needed).

## 7. DOCUMENTS SUPPORTING YOUR APPLICATION

Attach the following documents:

- 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)

## 8. HEARING

What dates are you **not** available to attend ACAT in the next 4 weeks?

Do you need an interpreter?  No  Yes (language and dialect)

Do you need assistance? (for example, a hearing loop when you attend ACAT)

A list of services ACAT can provide is available on the 'Accessibility' page of our website ([www.acat.act.gov.au](http://www.acat.act.gov.au))

No  Yes (provide details)

## 9. SIGNATURE

Signature of applicant  
or applicant's  
representative (all  
applicants to sign)

Name of person/s  
signing

Date

Please read the attached information on the next page prior to lodgement with ACAT.

# 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](http://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.

## Authorised representative

A representative who is not a lawyer must be correctly authorised. If the party being represented is:

- an **individual**, a *Power of Attorney* for the representative is required; and
- a **corporation** or a **different legal entity**, an *Authority to Act for a Corporation* is required.

These forms are available on the ACAT's website ([www.acat.act.gov.au](http://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.

## What happens next?

Once you lodge your application with ACAT and pay the filing fee, it will be given a date for a directions hearing. You will be given a letter from ACAT with the date, time and place of the directions hearing and a stamped copy of this application. You (the applicant) must serve a copy of this application and the letter on the Owners Corporation, every unit owner or person with an interest in a unit or the common property that is recorded on the corporate registry, and the Insurer. The ACAT will make directions about service and require you to provide proof that you have served the application on these entities. The ACAT will serve the application and letter on the Director-General.

## Do you need assistance?

If the applicant or respondent need assistance (for example, an interpreter or hearing loop), please let ACAT know as soon as possible. A list of services ACAT can provide is available on the *Accessibility* page of our website ([www.acat.act.gov.au](http://www.acat.act.gov.au)).

## More Information

Visit ACAT's website [www.acat.act.gov.au](http://www.acat.act.gov.au) for information about:

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

## Contact ACAT

**Telephone** (02) 6207 1740  
**Email** [tribunal@act.gov.au](mailto:tribunal@act.gov.au)  
**Post** ACT Civil and Administrative Tribunal (ACAT)  
GPO BOX 370  
CANBERRA ACT 2601