

CPPDSM4020A Present at tribunals
VERSION HISTORY
Version 1.1

Page	Details of change
4	Added description of Human Rights Division function
8	Added more detail to first dot point under heading 'Who can apply?'
12-13	In section titled "Natural justice", added bullet points to list the details of principles relating to the responsibilities of decision makers
13	Added more detail under heading 'Resolving claims on bond money': <i>"The application can be made at any time, but VCAT cannot determine the application until after the tenant has vacated the premises."</i>
16	Modified text for clarity under heading: 'Possession orders' <i>"A person who obtains a possession order may apply for a warrant immediately if the order allows it, or within six months of the date of the possession order. However, if an order is obtained by the alternative procedure (i.e. without a hearing), the application for a warrant must be made within 30 days."</i>
17	Added text (marked in green) to end of paragraph below: <i>"If a possession order is granted as a result of a failure by a tenant to pay rent, an application can be made by the landlord to VCAT within 28 days for payment (by the tenant) of compensation for loss or damage resulting from the failure of the tenant to pay the rent."</i>
19	General edits to text for clarity in the last two paragraphs.
26	Added bullet point under heading 'Weighing up the odds' <i>"• legal fee's"</i>
34	Changed text for clarity under heading: 'Lodging an application to the Residential Tenancies List' From: <i>"...registered post should always be used."</i> To: <i>"It is good practise to use registered post as both proof of lodgement (at a post office) and proof of delivery can both be verified if required."</i>
36	Corrected reference from <i>Retail Tenancies Act</i> to <i>Residential Tenancies Act</i> in the first line of the page.

Page	Details of change
37	<p>Added text for detail under heading '3.2 Serving notices', including:</p> <ul style="list-style-type: none"> - Paragraph starting: "Notices served on tenants relating to routine issues..." - reference to Section 506 of the Residential Tenancies Act. - "Notices served under the Victorian Civil and Administrative Tribunal Act or the Retail Leases Act must follow the principles outlined in those Acts for serving notices."
44	<p>Updated bullet point text for clarity and to strengthen point.</p> <p>From: "An affidavit is a secondary form of evidence that carries less weight than witness testimony and is used where the witness is not available."</p> <p>To: "Affidavits are sometimes used as evidence in writing, rather than orally. If the evidence is of a minor point, the witness may not appear. If, however, the evidence is central to the case, is contentious or disputed, the witness will need to appear in order to be cross-examined."</p>
46	<p>Replaced paragraph for 'Itemised accounts, invoices and receipts' to:</p> <p>"Itemised accounts, invoices and receipts are generally preferable to documents that present a single figure. The Tribunal may allow some, but not all items in a claim. A clear, itemised account may assist the Tribunal to arrive at findings based on the documentary evidence provided. Invoices and receipts from tradespeople and home/garden maintenance businesses must be originals (not copies), dated and signed."</p>
57	<p>Changed heading from 'Hearing procedure' to 'Typical Residential Tenancy dispute hearing procedure'</p>
60	<p>Added detail about the examination of witnesses.</p>
70	<p>Corrected text under heading 'Possession orders'</p> <p>Deleted: "The warrant can then be executed by the landlord (or the landlord's agent)."</p> <p>Added: "The police execute warrants of possession on behalf of landlords. The time limits stipulated in the warrant must be complied with."</p>
70	<p>Added text (marked in green) under heading 'Enforcing an order for payment' for better detail.</p> <p>"The certified order is then filed with the Magistrates' Court (or the County Court if the amount is over \$100,000) and..."</p>
Generic modifications	<p>Updated text in introduction (consistent with all guides), reordered key terms at the start of chapters, updated to latest version of glossary etc.</p>
Throughout	<p>Formatting, house-styling, layout, hyphenation and other minor editorial changes.</p>

Version 1.0

Original publication.