

06

NCAT APPLICATION PACK

NCAT Consumer & Commercial Division — ncat.nsw.gov.au — RTA 2010 (NSW)

The escalation engine — how to take any unresolved dispute in this system to the Tribunal

WHEN TO USE THIS BUNDLE

Use this pack whenever any other bundle's dispute remains unresolved — it is the escalation engine for the whole system. It tracks applications, fees, hearings, and builds the chronological Evidence Index NCAT expects.

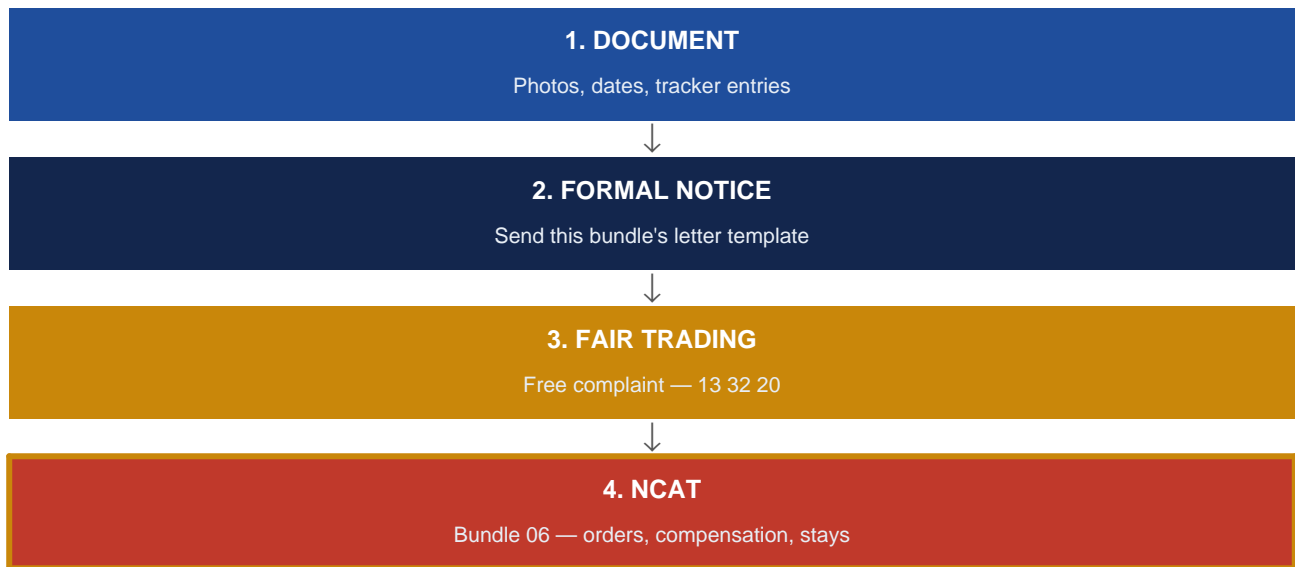
KNOW THE LAW — HOW NCAT WORKS FOR RENTERS

The NSW Civil and Administrative Tribunal resolves tenancy disputes cheaply and without lawyers. There is no mandatory breach-notice prerequisite in NSW — you can apply directly, though a free Fair Trading complaint first (13 32 20) resolves many disputes and costs nothing. Standard filing fee: \$60 (\$15 concession; CPI-indexed each July). Most matters go to conciliation on hearing day — many settle there, on the strength of whoever brought the better evidence.

TIME LIMITS THAT MATTER

APPLICATION	TIME LIMIT
Excessive rent increase (s.44)	Within 30 days of receiving the increase notice
Termination notice challenge (s.86)	Within the window stated on the notice — act immediately
Bond dispute	Promptly after the claim or deduction is notified
Repairs / compensation	During the tenancy or promptly after loss arises

HOW THE SYSTEM WORKS — YOUR ESCALATION PATH



The highlighted box shows where this bundle fits in the journey.

01 Try Fair Trading first

A free complaint often resolves the dispute and never prevents an NCAT application. Log the complaint reference number in your tracker.

02 Build your Evidence Index as you go

Use the Evidence Index sheet: one row per exhibit, numbered, in date order — photos, letters, tracker printouts, invoices. This becomes your hearing bundle.

03 File online and diarise everything

Apply at ncat.nsw.gov.au (Consumer & Commercial Division). Record the fee, application number, and hearing date in the tracker.

04 Prepare for conciliation

Most hearing days start with conciliation. Know your bottom line, bring your printed Evidence Index, and let the documents do the arguing.

05 Present chronologically at hearing

Walk the Member through your Evidence Index in date order: issue, notice, response (or silence), escalation. Renters who document in real time win.

IF YOU NEED TO ESCALATE — WHAT NCAT CAN ORDER

NCAT can order repairs and compliance by a set date, compensation (no fixed cap for tenancy matters), retroactive rent reductions, bond release in full or part, disallow rent increases, and stay or void termination notices. Nearly every order in this system is enforced here.

★ GOOD TO KNOW — CONCILIATION SETTLES MOST MATTERS

The strength of your position at conciliation is your paperwork. An agent facing a numbered, dated evidence index usually settles rather than face a Member with it. Preparation is the negotiation.

■ CRITICAL — WATCH THE TIME LIMITS

Some NCAT applications expire fast: excessive rent increases within 30 days of the notice; termination challenges within the window on the notice. Diarise the deadline the day any notice arrives — a strong case filed late is a lost case.

■ CRITICAL — YOUR EVIDENCE INDEX IS YOUR HEARING

NCAT Members decide on documents far more than testimony. A numbered chronological index of exhibits — every photo, letter, and tracker printout — is the single strongest thing you can bring into the room.

1. COPY

Copy the letter below into a new email

2. FILL

Replace every **[bracketed]** field with your details

3. SEND

Email it — request a read receipt, save a copy

*Send this before filing — it resolves many disputes at the door of the Tribunal. Fill in every **[bracketed]** field, then send via email — request a read receipt.*

SUBJECT:

FINAL NOTICE BEFORE NCAT APPLICATION: **[Insert Property Address]**

This is my final notice before I file an application with the NSW Civil and Administrative Tribunal in relation to the matters below.

1. THE UNRESOLVED MATTER

- Issue: [Summarise the dispute — e.g., outstanding repairs first reported on **[date]**; bond deduction claimed without evidence.]
- History: formal notice sent **[Date 1]**; follow-up **[Date 2]**; Fair Trading complaint **[reference, date if applicable]**. The matter remains unresolved.

2. WHAT I WILL SEEK FROM NCAT

- Orders under the Residential Tenancies Act 2010 including: [e.g., repair orders under s.65 / compensation / rent reduction backdated to **[date]** / release of bond].
- My application will attach a chronological evidence index including all notices, photographs, and your responses or non-responses.

3. FINAL OPPORTUNITY

- If this matter is resolved in writing by **[Insert Date — e.g., 7 days]**, no application will be necessary.
- I would rather resolve this directly. If I don't hear back by then, I will proceed to file with NCAT.

Yours sincerely,

[Your Full Name]

[Property Address]

[Date]

[Contact Number / Email]