



FEDERAL JURISDICTION PROCEEDINGS
ANNEXURE – APPLICATIONS FOR RETAIL AND COMMERCIAL LEASE
MATTERS

WHO SHOULD USE THIS FORM?

This form should be used if a federal jurisdiction application to the Magistrates' Court is being made, and the matter relates to a retail tenancy dispute under the *Retail Leases Act 2003* or a commercial tenancy dispute of which VCAT previously held exclusive jurisdiction.

This form **must** accompany the "Form 10A" and filed together with relevant supporting documentation.

APPLICATION INFORMATION – TO BE COMPLETED BY APPLICANT

1. APPLICANT INFORMATION

Please indicate in what capacity you bring this claim:

- | | |
|-----------------------------------|------------------------------------|
| <input type="checkbox"/> Landlord | <input type="checkbox"/> Guarantor |
| <input type="checkbox"/> Tenant | <input type="checkbox"/> Other |

If other, please specify:

2. CLAIM DETAILS

What is the application about?

- | |
|--|
| <input type="checkbox"/> Retail lease |
| <input type="checkbox"/> Commercial lease |
| <input type="checkbox"/> Other, please specify |

Provide the address of the leased premises below:

Has a notice to vacate been served under s 146 of the Property Law Act? If yes, state the date it was served

- | |
|------------------------------|
| <input type="checkbox"/> Yes |
| <input type="checkbox"/> No |

Date notice to vacate was served:

3. SUPPORTING DOCUMENTATION

The following documentation must be attached to this application:

- Certificate from the Small Business Commissioner – required for all applications about a retail lease unless the application is:**
 - For an injunction
 - For outstanding rent only
 - About a dispute for a rental determination by a specialist valuer
 - To enforce terms of settlement at the Small Business Commission.

- Lease agreement – if the application concerns a retail lease.**

- ASIC Company Extract – if the respondent is a company.**

Company Extracts may be obtained at www.asic.gov.au

- Notice to vacate under s 146 of the Property Law Act – if a Notice to Vacate has been served.**