

For office use only	
Case number	
Date filed	
Registry	
Fee	
Date paid	
Receipt number	

Application to resolve a complex dispute (excluding lot entitlement disputes) – *Body Corporate and Community Management Act 1997*

Refer to attached instructions at the back of this application prior to filling out this form.

Part A		APPLICANT'S DETAILS	
Name			
<input type="text"/>	<input type="text"/>	<input type="text"/>	
Title	Given name/s	Surname/Family name	
Company/Partnership/other		ABN	
<input type="text"/>		<input type="text"/>	
Business Name			
<input type="text"/>			
Address			Postcode
<input type="text"/>			<input type="text"/>
<input type="text"/>			
Contact details (MUST be provided)			
<input type="text"/>	<input type="text"/>	<input type="text"/>	
Mobile	Alternative number	Email	

Part A

APPLICANT'S DETAILS (continued)

Representative's details (if applicable)

- Tick if you want this to be your address for notices
- Tick if you want your representative to represent you in proceedings before the tribunal (see Part A of the instructions – you may be required to seek the tribunal's leave for this to happen by making an application under the form "Application for leave to be represented"). The tribunal may not give you leave to be represented.

Name

<input type="text"/>	<input type="text"/>	<input type="text"/>
Title	Given name/s	Surname/Family name

Company/Partnership/other

ABN

<input type="text"/>	<input type="text"/>
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Business Name

Address

Postcode

<input type="text"/>	<input type="text"/>
<input type="text"/>	

Telephone

() <input type="text"/>	() <input type="text"/>	<input type="text"/>
Home	Business	Mobile

Email

Applicant is (please tick)

- body corporate
- caretaking service contractor
- service contractor
- body corporate manager
- letting agent

Part B

RESPONDENT'S DETAILS

Name

Title

Given name/s

Surname/Family name

Company/Partnership/other

ABN

Business Name

Address

Postcode

Contact details *(MUST be provided)*

Mobile

Alternative number

Email

Part B

RESPONDENT'S DETAILS (continued)

Representative's details (if applicable)

- Tick if you want this to be your address for notices
- Tick if you want your representative to represent you in proceedings before the tribunal (see Part A of the instructions – you may be required to seek the tribunal's leave for this to happen by making an application under the form "Application for leave to be represented"). The tribunal may not give you leave to be represented.

Name

<input type="text"/>	<input type="text"/>	<input type="text"/>
Title	Given name/s	Surname/Family name

Company/Partnership/other

ABN

<input type="text"/>	<input type="text"/>
----------------------	----------------------

Business Name

Address

Postcode

<input type="text"/>	<input type="text"/>
<input type="text"/>	

Telephone

() <input type="text"/>	() <input type="text"/>	<input type="text"/>
Home	Business	Mobile

Email

Respondent is (please tick)

- | | | |
|---|--|---|
| <input type="checkbox"/> body corporate | <input type="checkbox"/> caretaking service contractor | <input type="checkbox"/> service contractor |
| <input type="checkbox"/> body corporate manager | <input type="checkbox"/> letting agent | |

Part C

BODY CORPORATE / COMMUNITY TITLES SCHEME INFORMATION

Title search must be attached.

Name of scheme

Community titles scheme No.

Scheme address

Postcode

Part D

GENERAL DISPUTE DETAILS

The application relates to *(tick applicable)*:

- a dispute arising out of a review of terms of a service contract (BCCM Act, section 133)
- a dispute about the transfer of a letting agent's management rights (BCCM Act, section 149A)
- a dispute about a claimed or anticipated contractual matter involving the engagement of a body corporate manager or a care taking service contractor or the authorisation of a letting agent for a community titles scheme (BCCM Act, section 149B)
- a dispute about the continuation of an exclusive use by-law associated with a body corporate manager, service contractor or letting agent (BCCM Act, section 178)

Part E

DETAILS OF WHAT YOU SEEK FROM THE TRIBUNAL

If there is insufficient space here, please attach additional pages.

1. I want the tribunal to make the following order/s:

Insert orders sought in numbered paragraphs.

If you are seeking urgent interim/urgent injunctive relief, you will need to file an accompanying Form 41. Please refer to the instructions page at the end of this form for more information.

Part G CHECKLIST AND SIGNATURE

- I have completed all questions on the application form according to the instructions.
- I have provided the correct number of copies of the application form and attachments (for the number of copies required – see the instructions).
- I have attached a title search for the scheme.
- I have attached relevant supporting documentation.

WARNING

Section 216 of the *Queensland Civil and Administrative Tribunal Act 2009* (Qld) makes it an offence for a person to knowingly give the registry documents containing false or misleading information.
Maximum penalty for such an offence – 100 penalty units.

SIGN AND DATE HERE *(if more than one applicant is named, then all must sign)*

The information in this application is true to the best of my knowledge.

Applicant/s sign here

Date

Print your name/s here

LODGEMENT DETAILS

Email to:

enquiriesQCAT@justice.qld.gov.au

Deliver to:

Queensland Civil and Administrative Tribunal
Floor 11, 259 Queen Street
Brisbane Qld 4000

OR

your local Magistrates Court.

To find your local courthouse visit:

www.courts.qld.gov.au/contacts/courthouses

Mail to:

Queensland Civil and Administrative Tribunal
GPO Box 1639
Brisbane Qld 4001

OR

your local Magistrates Court.

To find your local courthouse visit:

www.courts.qld.gov.au/contacts/courthouses

QCAT lodgement information:

For further lodgement information visit the Queensland Civil and Administrative Tribunal website:

www.qcat.qld.gov.au/applications/lodging-your-application-and-forms

INSTRUCTIONS FOR COMPLETING

Application to resolve a complex dispute (excluding lot entitlement disputes) – *Body Corporate and Community Management Act 1997*

GENERAL INSTRUCTIONS

Copies of the application and providing copies to other parties

The application form and all attachments must be accompanied by three copies. Where there is more than one respondent, an extra copy of the application form and attachments is required for each additional respondent.

Generally, you must give a copy of the application to all parties to the proceeding as soon as practicable, and no later than seven days after the application is filed.

Applications may be lodged

In person: Queensland Civil and Administrative Tribunal, Level 11, Bank of Queensland Building, 259 Queen Street, Brisbane QLD 4000, or at any Magistrates Court outside of the Brisbane CBD.

By mail: QCAT, GPO Box 1639, Brisbane 4001

By email: enquiriesQCAT@justice.qld.gov.au

For more information call 1300 753 228 or visit www.qcat.qld.gov.au

Applications must be accompanied by the prescribed application fee

For more information on QCAT fees, please refer to the QCAT factsheet or go to www.qcat.qld.gov.au

Payment can be made by cash, cheque (payable to Department of Justice and Attorney-General), money order or credit card payment authorisation (see credit card payment authorisation form – mastercard and visa accepted).

PARTS A & B APPLICANT'S AND RESPONDENT'S DETAILS

- An application to the tribunal to resolve a complex dispute may only be brought by, or against, certain persons. The *Body Corporate and Community Management Act 1997* (BCCM Act) specifies who may apply to the tribunal for an order to resolve each particular type complex dispute (see sections 133, 149A, 149B, and 178 of the BCCM Act). Please indicate the basis on which you are making the application by ticking the relevant box.
- If there is insufficient space for the names of either applicant or respondent, you may attach additional pages with similar details.
- If the applicant or respondent is not an individual then the correct name must be used, for example:
 - a company name
 - a business name regardless of whether it is registered under the Business Names Act 1962
 - a State agency name, for example a Queensland Government department.
- Your address will be the address at which documents are given or sent to you, unless you indicate your representative's address as your address for notices.
- Any change in your address for notices must be filed in the tribunal and served on all other parties.

Representative's details

If you want your representative's address as the address for notices, please complete your representative's details and tick the box.

If you want your representative to represent you in any proceedings before the tribunal you must complete the form *Application for leave to be represented*. Generally the tribunal expects people to represent themselves. It may not grant your request.

PART C BODY CORPORATE/COMMUNITY TITLES SCHEME INFORMATION

The full name and address of the community titles scheme and the community titles scheme number must be provided. Please include a copy of a title search for the scheme with your application.

PART D GENERAL DISPUTE DETAILS

Please indicate what type of complex dispute your application relates to by ticking the relevant box/es.

Note: To apply for an order for the adjustment of lot entitlements, please use [Form 29 – Application for the adjustment of a lot entitlement schedule – Body Corporate and Community Management Act 1997](#) instead.

PART E DETAILS OF WHAT YOU SEEK FROM THE TRIBUNAL

State what orders you are seeking from the tribunal and why you consider the orders sought should be made. Include a clear outline of the history and nature of the dispute.

If your application is urgent

If you believe that your application is urgent and wish to have an order made before the final hearing, you can apply to QCAT in complex body corporate cases for injunctive relief or interim orders.

An interim order or injunction are orders which may be made in a proceeding before the final decision is made. It may protect a party's position while the proceeding is running or provide for something to be done to make sure that any final decision of QCAT can be effective. Use [Form 41 – Application for interim order/interim injunction](#).