

Instructions for completing**Application – Manufactured Homes
(Residential Parks) Act 2003****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 9, 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

Some applications may be lodged by fax or email. 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).

PART A APPLICANT'S AND RESPONDENT'S DETAILS

- More than one applicant or respondent can be named in an application. For example, an application may be brought by more than one manufactured home owner.
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 given to all other parties.

Instructions for completing (continued)

PART A APPLICANT'S AND RESPONDENT'S DETAILS (continued)

Representative's details

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

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.

You are not required to seek leave if:

- you are a child or a person with impaired capacity
- your case is a disciplinary case
- an Act or the Rules state that you may be legally represented.

PART B DETAILS OF THE RESIDENTIAL PARK

The name and address of the residential park the dispute relates to must be provided.

PART C PRELIMINARY NEGOTIATION

You are encouraged to attempt to resolve the dispute by negotiation within the park prior to applying to the tribunal.

The Department of Justice and Attorney-General's Dispute Resolution Branch offers a free mediation service which can be used to assist parties to resolve their dispute prior to applying to the tribunal. The Dispute Resolution Branch can be contacted on 3239 6269 or 1800 017 288 (toll free outside Brisbane).

PART D DISPUTE DETAILS

You must tick the appropriate boxes and fill in the details wherever you have ticked the yes box.

Chief Executive: at the time of preparation of these instructions, the Chief Executive is the Director-General of Department of Employment, Economic Development and Innovation.

PART E DETAILS OF WHAT YOU SEEK FROM THE TRIBUNAL

State what orders you are seeking from the tribunal and the reasons why you consider the tribunal should make the orders. Include a clear outline of the history and nature of the dispute. A copy of the contract or other supporting documentation may be attached.

Form Number 30 (version 1)

Queensland Civil and Administrative Tribunal Act 2009 (section 33)

Application – Manufactured Homes (Residential Parks) Act 2003

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

For office use only

Case number:	
Date:	
Registry:	
Sent to:	
Fee paid:	
Rec no:	

PART A APPLICANT'S DETAILS**Name**

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

Company/Partnership/other

<input type="text"/>	ABN	<input type="text"/>
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**Business
Name****Address**

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

Telephone

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

Fax ()**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"/>
<i>Title</i>	<i>Given name/s</i>	<i>Surname/Family name</i>

Company/Partnership/other

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

Address

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

<input type="text"/>	<input type="text"/>
<i>Business</i>	<i>Mobile</i>

Fax

Applicant is *(please tick)*

- park owner
- home owner
- group

Attach name & address of every person in the group on a separate sheet, if necessary

PART A RESPONDENT'S DETAILS

Name

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

Company/Partnership/other

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

PART A RESPONDENT'S DETAILS *(continued)*

Address

	Postcode	

Telephone

()	()	
<i>Home</i>	<i>Business</i>	<i>Mobile</i>

Fax

()

Email

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Representative's details *(if applicable)*

Name

<i>Title</i>	<i>Given name/s</i>	<i>Surname/Family name</i>

Company/Partnership/other

	ABN	
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Business Name

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Address

	Postcode	

Telephone

()	
<i>Business</i>	<i>Mobile</i>

Fax

()

Respondent is *(please tick)*

- park owner
- home owner
- group

Attach name & address of every person in the group on a separate sheet, if necessary

PART B DETAILS OF THE RESIDENTIAL PARK

Residential park name:

Residential park address:
 Postcode

PART C PRELIMINARY NEGOTIATION

Parties are encouraged to attempt to resolve the dispute by negotiation within the residential park or through attending independent mediation prior to applying to the tribunal. See instructions.

Please tick correct box below:

Have you attempted to resolve the dispute by negotiation within the park? Yes No

Have you engaged an independent mediator to assist you to deal with your dispute? Yes No

PART D GENERAL DISPUTE DETAILS

1. The date of site agreement / /

2. Please indicate what your dispute relates to:

- | | |
|---|--|
| <input type="checkbox"/> variation of site agreement | <input type="checkbox"/> park rules |
| <input type="checkbox"/> termination of site agreement | <input type="checkbox"/> park operations |
| <input type="checkbox"/> assignment of interest in site agreement | <input type="checkbox"/> abandonment of home |
| <input type="checkbox"/> site rent | <input type="checkbox"/> other (<i>please set out details below</i>) |

PART D GENERAL DISPUTE DETAILS *(continued)*

3. Are you alleging a contravention or failure to comply with a section of the *Manufactured Homes Residential Parks Act 2003*?

Yes No

If yes, please state which section(s):

4. Is this dispute currently the subject of arbitration or any proceedings before a court?

Yes No

If yes, please specify:

Supreme Court District Court Magistrates Court
 Arbitration Other (*please specify*) _____

Application No.

City/Town

Commencement date

5. Have you made a previous complaint to the Chief Executive about any of the issues in this dispute?

Yes No

If yes, state date of complaint: / /

and file number of complaint:

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:

2. The reasons I consider the order/s sought should be made are:

Please insert, in numbered paragraphs, concise and relevant details of the dispute, together with your arguments supporting the orders sought. Please attach relevant supporting documentation, e.g. contract, correspondence, etc. If there is insufficient space here, please attach additional pages.

PART E 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 paid the prescribed fee.
- I am ready to proceed with this application.

Interpreter

Is an interpreter required?

- Yes No

If YES, please specify language

Warning

Section 216 of the *Queensland Civil and Administrative Tribunal Act 2009* makes it an offence for a person to knowingly give the registry documents containing false or misleading information.

Maximum penalty for such an offence – \$10,000.

SIGN AND DATE HERE

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

Applicant/s sign here

Date

If more than one applicant is named all must sign the application.