

Tenancy: Going to ACAT

The ACT Civil and Administrative Tribunal ('ACAT') is an independent body set up to resolve disputes. ACAT took over roles previously dealt with by the Residential Tenancies Tribunal and the Small Claims Court.

ACAT has exclusive jurisdiction in relation to tenancy matter where the amount in dispute does not exceed \$25,000.

What should I expect at ACAT?

ACAT is more informal than a Court, but it is required to provide parties with procedural fairness. This means that each party understands the case being put against them, has a fair opportunity to present their case and have the matter adjudicated by an independent member.

This means that if you are preparing an application, you should be clear on what you are seeking. It is not helpful to include a generalised complaint about what the lessor has done.

It also means that if you are a respondent, make sure you understand what the case is against you. Ensure that any response you provide deals with the case against you. Make sure you include the required timelines and statements in your response.

You ultimately need to be prepared. When the matter is listed for hearing you will usually not be granted an adjournment. It is useless to say to ACAT "I have evidence about that at home". Ensure you have all necessary statements, letters and documents when you come to your hearing, and have arranged for witnesses to be available.

Sometimes the member at a hearing asks questions of the parties themselves, and in other cases the member will leave the parties to conduct their own cases (particularly when the parties are represented).

Usually the member will tell the parties of the decision at the end of the hearing. In other cases the member will "reserve" their decision and provide a written decision later. A written decision will include the reasons for the decision.

A party can ask the Tribunal to provide a statement of reasons for any decision. This should be done within 14 days of the decision being handed down.

Contact the **Tenancy Advice Service** on 1300 402 512 or at TAS@legalaidact.org.au for more information.

Where can I find previous decisions?

Previous decisions can give you an idea of how ACAT might decide in your matter. Previous decisions of ACAT can be found on the ACAT website or on the [Australasian Legal Information Institute](#).

Where can I find ACAT?

ACAT is located at:

ACT Health Building

Level 4, 1 Moore Street

Canberra City ACT

The ACAT website has information, links to relevant legislation and helpful documents for you to use. You can find the website here: <https://www.acat.act.gov.au/home>