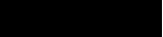




5 August 2014

Mr 


Dear Mr 

R201426078

I refer to your letter of 4 August 2014 in relation to your application before the Residential Tenancies List; file number R201426078.

In your letter, you question the consistency in the method of service and the time lapse in deciding whether to accept or reject an application. You have provided an outline of your experience when lodging an application and being notified of the hearing date.

Section 71(3) of the *Victorian Civil and Administrative Tribunal Act 1998* (the VCAT Act) provides that if the Principal Registrar rejects an application, he or she must inform the applicant of the right of referral to the Tribunal for a review of the rejection. The VCAT Act, Rules or Regulations do not provide a time frame in which the Principal Registrar must comply with their obligation to reject the application.

In this instance, the Principal Registrar notified you of the rejection of your application on the same day it was lodged. I am not satisfied there is any substance to your complaint that the Tribunal was untimely.

Your request to have the Principal Registrar's decision to reject your application reviewed by the Tribunal was received on 11 July 2014 and entered onto the Tribunal's database on 16 July 2014. The hearing notice was created on 16 July 2014 and posted by express post to the address provided by you in the application on 17 July 2014.

Unless otherwise directed by the Tribunal, notification of the hearing is sent to the parties by ordinary post. Historically there have been a low proportion of tenant/respondents appearing at residential tenancy hearings. To increase the number of tenant/respondents appearing at hearings, the Tribunal provides a SMS messaging service to advise tenant/respondents of upcoming hearings. This is an additional service to the notification by post.

I note from the file that in response to your email of 23 July 2014 enquiring about the hearing date, you were advised of the hearing date by return email on that date. Member Barker, in her decision of 25 July 2014 found that although documents relating to the review of the rejection were mistakenly placed on the related file R201426078 no detriment was caused to the parties.

Thank you for taking the time to bring your concerns to the attention of the Tribunal.

Yours faithfully,

A handwritten signature in black ink, appearing to read "Justice Garde", written in a cursive style.

Justice Garde AO RFD
President

