

REASONS FOR THE ORDER OF THE COMMISSIONER OF TENANCIES

INQUIRY – 28 FEBRUARY 2002

This is the determination of an application by the Landlord, for an order to declare the purported termination to be of no effect pursuant to section 84 of the *Residential Tenancies Act (1999)* (“the Act”), in respect of premises being 30 Cavanagh Street, Darwin 0800, in the Northern Territory.

A Notice of Inquiry dated 27th February 2002 was posted to each of the parties and the hearing was conducted on 28th February 2002 when evidence was taken from the Landlord’s agent, and the tenant..

On the basis of the evidence before the Inquiry, I find that there is a tenancy agreement within the meaning of and subject to the provisions of the Act on the following terms:

Premises: 30 Cavanagh Street Darwin NT 0800.

Commencement Date: 22nd February 02

Period: Twelve (12) months

Rent: \$180 per week

The Tenant gave evidence that the property was unclean, there was damage to the back door, there were no fly screens, no off street parking, parts of the property were unpainted, no wheelie bins were provided and there was a hole and rot in the skirting board in the kitchen.

I do not consider that the defects referred to above satisfy the requirements of section 92(b) of the act.

Accordingly, I order that the purported termination of the tenancy by the tenant is of no effect.

Dated this 27th February 2002.

Sophie Cleveland
Delegate of the
Commissioner of Tenancies