

REASONS FOR THE ORDER OF THE COMMISSIONER OF TENANCIES

INQUIRY - 30 December 2003

This is a determination of an application dated 22 December 2003 by the Tenant seeking an order that the Landlord to make certain repairs and alterations pursuant to section 57 (1) (b) of the *Residential Tenancies Act* (NT) ("the Act"). The application is made in respect of premises being 62 Freshwater Road Jingili, Darwin in the Northern Territory of Australia.

A Notice of Inquiry dated 22 December 2003 was posted to the parties. The inquiry was conducted on 30 December 2003 during which evidence was taken from the Tenant. There was no appearance by the Landlord or her agent.

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

Premises:	62 Freshwater Road, Jingili NT 0810
Commencement Date:	11 June 2003
Period:	12 Months
Rent:	\$ 300.00 per week
Security Deposit	\$ 1200

In relation to this matter I am satisfied on the evidence that the tenant's gave proper and sufficient notice to the Landlord in respect of the premises pursuant of section 58 of the Act.

I am also satisfied on balance that the landlord has refused and/or neglected to rectify any of the matters at the premises about which the landlord had been given notice by the tenant's.

Accordingly I order that the Landlord complete the following repairs and alterations within 14 days of the date of this Order:

- A. Repair the swimming pool
- B. Repairs to the seals on the refrigerator
- C. Repair the dishwasher
- D. Repairs to blinds in bedrooms 2 & 3.
- E. Repair the gap in the floorboards in bedroom 2.
- F. Remove palm fronds resting on electrical power lines
- G. Provide keys for rear door lock and window locks as previously requested.

2. If the landlord fails to do repairs within 14 days of the date of this Order, the tenant may arrange for repairs to be done and payments for repairs can be deducted from rent payable by the tenant.

Dated this 30 day of December 2003

Garry Schneider
Delegate of the
Commissioner of Tenancies