

## **REASONS FOR THE ORDER OF THE COMMISSIONER OF TENANCIES**

### **INQUIRY – FRIDAY 6 MAY 2006**

This is a determination of an application dated 3 April 2005 by the Tenant, seeking an order requesting for the landlord to carry out repairs. The application is made in respect of premises being 6 Lakeside Drive Alawa in the Northern Territory of Australia.

A Notice of Inquiry dated 22 April 2005 was posted to the parties. The inquiry was conducted on Friday, 6 May 2005 during which evidence was taken from the Tenant (“the Tenant”). There was no appearance by the Landlord or their 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:	6 Lakeside Drive Alawa NT 0810
Commencement Date:	14 January 2005
Period:	2 years
Rent:	\$330.00 per week payable fortnightly in advance
Security Deposit	\$1,320.00

In relation to this matter I am satisfied on the evidence that the Tenant gave proper and sufficient notice to the Landlord in respect of the premises pursuant to section 58 of the Act. In that regard I note the correspondence addressed to the Landlord’s agent from the Tenant dated 14 March 2005 informing the Landlord of the repairs that are required.

I am 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.

Accordingly, I order that:

1. The Landlord complete the following repairs and alterations within 28 days of the date of this Order:
  - 1.1 repair the dishwasher;
  - 1.2 replace the main bedroom fan;
  - 1.3 repair the leaking spa and organise for a qualified person to provide instructions to the Tenant as to the correct use of the spa and filter;
  - 1.4 repair the door handle on the downstairs front door;
  - 1.5 clear the yard and remove the satellite dish;
  - 1.6 repair or replace any flyscreens within the premises that have holes;

- 1.7 remove the television brackets in the main bedroom and make good the damage to the wall;
  - 1.8 fix closed the cat door in the main bedroom;
  - 1.9 repair or replace the various aerial cable connections throughout the house so that there is television reception;
  - 1.10 repair the irrigation system in the garden.
2. In the event that the Landlord fails to complete the repairs listed in Order 1 above within 28 days of the date of this Order, the Tenant may arrange for the said repairs to be completed and the payment for such repairs is to be deducted from rent payable to the Landlord.

Dated this 19 day of May 2005.

Sophie Cleveland  
Delegate of the  
Commissioner of Tenancies