



# Tenancy Disputes

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Australian College  
of Professionals

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# Tenancy Disputes

# FOR LEASE

When dealing with tenancy disputes, a property manager cannot discount the value of being prepared for the Tribunal process.

The New South Wales Civil and Administrative Tribunal website ([ncat.nsw.gov.au](https://ncat.nsw.gov.au)) provides some excellent tips on how to ensure you are prepared including the following points about what happens at NCAT.

If you are making the application to NCAT, make sure you complete the online forms accurately and provide all the evidence that is requested.

Before the date of your hearing, take the time to learn about what happens at the Tribunal. If your hearing is going to be in-person and not over the phone, a suggestion is that you should go to your closest NCAT (if distance is feasible) and watch other hearings in action. This will give you an idea of what to expect on your hearing day, and help you plan for presenting your case to the Tribunal Member.

View the hearing lists to find out when NCAT hearings are being held in your area. Practice telling your story - practice making your statements and finding the documents that support your argument. Present your case to colleagues and ask them for feedback. Remember to stay calm, speak clearly and stick to the facts.

Allow plenty of time to get to your hearing - NCAT hearings are dealt with very quickly. If you are late, the hearing may go ahead without you and a decision made in your absence. This may not prove to be positive for your case.

Be well prepared - carefully consider all the issues of your case and take time to gather all necessary information. Here at ACOP, we recommend that you take the following evidence with you on hearing day that will support your case, such as:

- written proof of the sale or service invoice, original purchase agreement or sales advice
- trust account journals if relating to rental arrears
- any invoices or demands for fees
- receipts, quotes, reports and payment records
- correspondence between parties
- photographs showing the condition and state of repair (or comparable items if relevant)
- witness statements, statutory declarations or affidavits
- any enforcement action undertaken
- correspondence from NSW Fair Trading
- copy of contract, reports from building experts and the certificate



of insurance (home building)

- copies of the strata or community plan, minutes of relevant meetings, resolutions, relevant registered by-laws or notices (strata and community schemes)
- copy of your licence or certificate of registration, which is your authority to be present at Tribunal
- copy of your agency agreement with the property owner, which is your authority to be representing the property owner

Remember to always take three (3) copies of your documents so that there is a copy for you, one for NCAT and one for the other party. And good luck with any Tribunal matters in which you may become involved. Be professional and you will have nothing to worry about.

**Rosy Sullivan**  
Director | College Principal

## **Changes to the NSW Tenancy Laws**

The remainder of the amendments to the Residential Tenancies Amendment Act 2024 will come into effect on Monday 19 May 2025. ACOP is conducting FREE webinars in relation to the implementation of the changes and what it means to daily practice for managing residential tenancies.

The webinars are being held every day from Monday 12 May to Friday 16 May.

Watch our website and your emails for details of reserving your place in one of these information webinars.



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