Form 3C

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| RETAIL AND COMMERCIAL LEASES APPLICATION  **Magistrates Court of South Australia (Civil Division)**  [www.courts.sa.gov.au](http://www.courts.sa.gov.au)  *Retail and Commercial Leases Act 1995*  Sections 12, 15, 68, 76(8) and 77(2)  *Landlord and Tenant Act 1936* (other than applications to which Sections 12 and 20 of the *Retail and Commercial Leases Act 1995* apply) | | | | | | | | | | | | Court Use  Date Filed:  Date Posted | |
|  | | | | | | | | | | | | | |
| Trial Court |  | | | | | | | Action No | |  | | | |
| Address |  | | | | | |  | | |  | | |  |
|  | *Street* | | | | | | *Telephone* | | | *Facsimile* | | | *DX* |
|  |  | | |  | |  | |  | | | | | |
|  | *City/Town/Suburb* | | | *State* | | *Postcode* | | *Email Address* | | | | | |
| Amount Claimed (if any) | | $ | | | |
| Court Fee on Filing | | $ | | | |
| Service and Other Fee | | $ | | | |
| Solicitor’s Fee | | $ | | | |
| TOTAL CLAIMED | | $ | | | |
| **Applicant** | | | | | | | | | | | | | |
| Full Name |  | | | | | | | | | | | | |
| Address  *(Registered Office, if Body Corporate)* |  | | | | | |  | | | |  | | |
|  | *Street* | | | | | | *Telephone* | | | | *Facsimile* | | |
|  |  | | |  | |  | |  | | | | | |
|  | *City/Town/Suburb* | | | *State* | | *Postcode* | | *Email Address* | | | | | |
| Solicitor (if any) | |  | | | | | | | | | | | |
| **Other Party** | | | | | | | | | | | | | |
| Full Name |  | | | | | | | | | | | | |
| Address  *(Registered Office, if Body Corporate)* |  | | | | | |  | | | |  | | |
|  | *Street* | | | | | | *Telephone* | | | | *Facsimile* | | |
|  |  | | |  | |  | |  | | | | | |
|  | *City/Town/Suburb* | | | *State* | | *Postcode* | | *Email Address* | | | | | |
| Solicitor (if any) | |  | | | | | | | | | | | |
| This is an application by the  lessor /  lessee for an order under:  s 12 – false or misleading disclosure statement  s 15 – recovery of premium paid in connection with the granting of a retail shop lease  s 68– general jurisdiction  s 76(8) – dispute about abandoned goods  s 77(2) – exemption from provisions of the Act  *Landlord and Tenant Act 1936* and reg 14 of the *Retail and Commercial Leases Regulations 2010* | | | | | | | | | | | | | |
| The relevant retail shop lease is dated the       day of       20     and is for a shop at (please state the name and address of shopping centre) - | | | | | | | | | | | | | |
| Briefly state the facts giving rise to this application and the remedy you want\*: | | | | | | | | | | | | | |
| **IMPORTANT NOTICE**  You both must attend at the Trial Court for the Directions Hearing fixed by the Court or this application may be decided without you. | | | | | | | | | | | | | |
| Date APPLICANT | | | | | | | | | | | | | |
| \*Relief sought pursuant to s 12(5) *Retail and Commercial Leases Act 1995* includes:  (a) an order avoiding the lease in whole or part;  (b) an order varying the lease;  (c) an order requiring the lessor to repay money paid by the lessee;  (d) an order requiring the lessor to pay compensation to the lessee;  (e) an order dealing with incidental or ancillary matters. | | | | | | | | | | | | | |