

RETAIL AND COMMERCIAL LEASES APPLICATION

Magistrates Court of South Australia (Civil Division)

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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 <small>(Registered Office, if Body Corporate)</small>	Street		Telephone		Facsimile	
	City/Town/Suburb		State	Postcode	Email Address	
Solicitor (if any)						
Other Party						
Full Name						
Address <small>(Registered Office, if Body Corporate)</small>	Street		Telephone		Facsimile	
	City/Town/Suburb		State	Postcode	Email Address	
Solicitor (if any)						
<p>This is an application by the <input type="checkbox"/> lessor / <input type="checkbox"/> lessee for an order under:</p> <p><input type="checkbox"/> s 12 – false or misleading disclosure statement</p> <p><input type="checkbox"/> s 15 – recovery of premium paid in connection with the granting of a retail shop lease</p> <p><input type="checkbox"/> s 68 – general jurisdiction</p> <p><input type="checkbox"/> s 76(8) – dispute about abandoned goods</p> <p><input type="checkbox"/> s 77(2) – exemption from provisions of the Act</p> <p><input type="checkbox"/> <i>Landlord and Tenant Act 1936</i> and reg 14 of the <i>Retail and Commercial Leases Regulations 2010</i></p>						
<p>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) -</p>						

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.