**Claim example – unlawful entry**

Example of claim details for a restraining order application for unlawful attendances and entry, using Part 9 of VCAT’s General Application to the Residential Tenancies List form.

Find the form on VCAT’s website at: [Application (General application) - Residential Tenancies List | VCAT](https://www.vcat.vic.gov.au/documents/forms/application-general-application-residential-tenancies-list).

# PART 9: CLAIM DETAILS - WHAT DO YOU WANT VCAT TO DO?

### What orders do you want VCAT to make?

You need to tell us the relevant section number of the *Residential Tenancies Act 1997*

that relates to your claim, if you can, and what orders you want VCAT to make.

You may also have to provide specific information or documents to support your application. If you do not provide information or documents that VCAT needs, your application may be delayed.

To see a list of common disputes we hear and their section numbers, go to [www.vcat.vic.gov.au/rentingnotice.](http://www.vcat.vic.gov.au/rentingnotice)

*Section 452 and 472 – general dispute – restraining order for unlawful attendances and entries*

### Provide more details about your claim.

You must give complete details about your claim, including:

* + how you have calculated any amounts you are asking for
  + why you are asking for the above orders.

This will help the respondent understand why you have made this application. If you need more space, you can attach a document setting out the details of the claim.

*This is an application for a restraining order to stop the rental provider from coming to, or past, the property without lawful reason or notice.*

*Timeline:*

*Three times over the past month I have seen the rental provider drive past the property, slowing down out the front each time, on May 2, 15 and 23. On May 30 the rental provider turned up, unannounced and without written notice, telling me he wanted to go into the backyard to check it was being mowed properly. I asked him to leave and told him not to drive by or turn up without notice. On 31 May I emailed the real estate agent about the rental provider turning up and asked that they make sure this didn’t happen again. On June 7 the rental provider again turned up, unannounced and without written notice, and tried to force his way into my home. When I refused, he got angry and started yelling at me, telling me it was his property and he could come over whenever he wanted.*

*I would like VCAT to make a restraining order stopping the rental provider from contacting me, driving past my home and turning up at my home unless there is a legal reason and all of the entry laws have been followed first.*

*As a real estate agent manages the property for the rental provider, I would also like VCAT to include in the restraining order that the rental provider can only attend the property if accompanied by the estate agent, due to his threatening and angry behaviour when he turned up alone.*

*Attachment: Email to the estate agent reporting the rental provider’s behaviour*