**INSTRUCTIONS FOR RENTERS:**

1. USE THIS EMAIL TEMPLATES IF YOU ARE WRITING TO VCAT ABOUT A POSSESSION ORDER MADE ON OR BEFORE 25 OCTOBER 2021 FOR COVID­19 RELATED OVERDUE RENT
2. FILL IN YOUR DETAILS

* **Fill in your details to replace** [THINGS LIKE THIS]

1. OPTIONS – CUT AND PASTE THE OPTION THAT APPLIES TO YOUR SITUATION INTO THE EMAIL TEMPLATE BELOW

* A warrant of possession has been issued for the rental provider to regain possession of the property. I request that the Tribunal cancel this warrant pursuant to s 356 of the *Residential Tenancies Act 1997*.
* To my knowledge, a warrant of possession has not yet been issued. I request that the Tribunal decline to issue a warrant of possession to my rental provider on the basis that the possession order should not have been made and as such should be set aside.

1. **DELETE INSTRUCTIONS BEFORE YOU SEND THE EMAIL.**

To: VCAT – [renting@vcat.vic.gov.au](mailto:renting@vcat.vic.gov.au)

Email Subject line: Urgent – COVID-19 Arrears Warrant - [VCAT Reference number] – [Rental Property Address]

Dear Registry,

I am contacting you in relation to the above proceeding and rented premises.

A possession order was made in relation to my rented premises on [date of order] on the basis of rental arrears accrued between 29 March 2020 and 28 March 2021. I had a COVID-19 reason for being unable to pay my rent.

As a result of the recent decision of the Supreme Court of Victoria, Court of Appeal in *Markiewicz v Crnjac* [2021] VSCA 290 on 25 October 2021, I believe that the possession order made by the Tribunal in this proceeding should be set aside. As such, a warrant of possession should not be executed.

[ADD THE OPTION FROM 3. IN THE INSTRUCTIONS TO SUIT YOUR SITUATION]

Kind regards,

[Your name]