# Payment Plan Agreement

# to adjourn possession applications

# under s91ZM

You can use this form where a residential rental provider has applied to VCAT for a possession order because of rent owing and the parties have made a **Payment Plan Agreement**.

On receiving this Payment Plan Agreement VCAT will recognise it by making orders **without** holding a hearing. We encourage parties to lodge this agreement **as early as possible**, so that listing time can be allocated to other matters.

If a hearing has been scheduled, VCAT will cancel the hearing, provided this document is lodged **at least seven business days before the hearing date**. If you reach an agreement after that date, the hearing will proceed and the payment plan can be presented at the hearing.

If the renter does not comply with the **Payment Plan Agreement**, the residential rental provider may ask for a hearing, at which time the Tribunal will consider whether a possession order should be made. VCAT will list a new hearing with priority.

**YOU MUST COMPLETE THE FORM IN FULL**

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| APPLICATION DETAILS |
| **VCAT reference number: R202**     **/** |
| **Date of hearing (if one has been allocated):       /       /** |
| **Residential Rental provider/s:** |
| **Renter/s:** |
| **Address of rented premises:** |

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| CONFIRMATION OF AGREEMENT |
| I confirm that:  The residential rental provider and renter have agreed to this payment plan.  To the best of my knowledge, all information provided in this document is true and correct.  Name of residential rental provider or agent signing this form:  Signature of residential rental provider or agent:  **NOTE:** *It is an offence under section 136 of the Victorian Civil and Administrative Tribunal Act 1998 to knowingly give false or misleading information to VCAT.* |

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| PAYMENT PLAN AGREEMENT |
| **Date of agreement:       /       /** |
| **Rent owed as at the date of this agreement:** Amount: $ |
| **Payment plan agreement:**  1. The renter agrees to pay the residential rental provider the following sums towards rent owed on or before the dates specified:  Date:       /       /        Amount: $  Date:       /       /        Amount: $  Date:       /       /        Amount: $  Date:       /       /        Amount: $  **AND / OR**  2. The renter agrees to pay the  weekly  fortnightly  calendar monthly rent of $  together with $       (*additional amount towards rent owing*),  currently a total of $      , each and every  week  fortnight  calendar month  starting on       /       /        (*insert the date payments will commence* ***after*** *the date of this agreement*).  This payment plan will continue until the rent owing is fully paid and the rent is one  week  fortnight  calendar month in advance, in accordance with the rental agreement. |
| **Adjournment and date for renewal:**  The residential rental provider and the renter agree that if the renter fails to follow the payment plan, the residential rental provider can request a further hearing, provided the request is made by       /       /       , otherwise the application will be considered withdrawn.  **NOTE:** *Insert a date above that is after the date by which the parties have calculated that the rent owed will be fully paid and the rent paid in advance.* |