

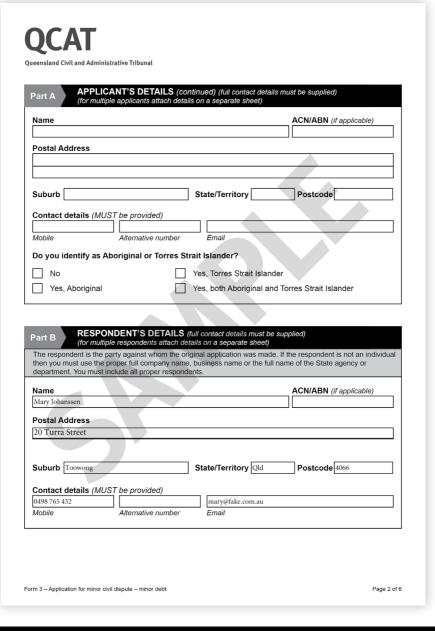
This form can be completed and lodged online at:

gcat.qld.gov.au/resources/forms/our-online-services/start-an-application-for-a-minor-debt-dispute

Application for minor civil dispute – minor debt

Application fees apply - visit qcat.qld.gov.au/resources/fees-and-allowances for details

Name		ACN/ABN (if applicable)
John Edward Gee	_ 	
Postal Address		
10 Green Street		
Suburb Yeronga	State/Territory Qld	Postcode 4104
Contact details (MUST be pro	vide d)	
0412 345 678	john@fake.com.au	
	tive number Email	
Do you identify as Aboriginal	or Torres Strait Islander?	
No	Yes, Torres Strait Isla	ander
Yes, Aboriginal	✓ Yes, both Aboriginal	and Torres Strait Islander
	ent you in any proceedings before the represented. You are not required to the contract to th	ne Tribunal you must complete Form o seek leave if you are a child or
a person with impaired capacity	v. Visit the QCAT website for more in	
representation.		



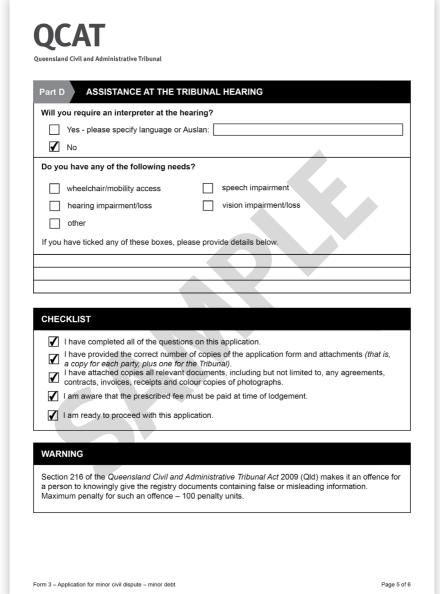
RESPONDENT'S DETAILS (continued) (full contact details must be sure (for multiple respondents attach details on a separate sheet) Name ACN/ABM Postal Address Suburb State/Territory Postcod Contact details (MUST be provided) Mobile Alternative number Email	
Postal Address Suburb State/Territory Postcoc Contact details (MUST be provided)	
Postal Address Suburb State/Territory Postcoc Contact details (MUST be provided)	applied)
Suburb State/Territory Postcoo	N (if applicable)
Suburb State/Territory Postcoo	
Contact details (MUST be provided)	
	de
Mobile Alternative number Email	



Queensland Civil and Administrative Tribunal

Part	C ORDER AND REASONS DETAILS			
Lam	claiming the following amounts:			
7	the amount owing	\$ [3,500.00		
7	date when the amount owing became due:	02 / 12 / 2021		
•	and more and amount of mig zoodino and.	Date Month Year		
I also want to claim interest on the amount owing from the date when the debt became due to the date of the Tribunal's final decision. Choose from the rate which applies:				
OR	the rate I agreed with the respondent (attach agreement):	% p.a.		
	If there is no agreement with the respondent about the interest trinterest will be determined by the Tribunal. Refer to the interest available at courts.qld.gov.au/courts-calculator/calculator. In either case:			
	I have calculated the amount of the interest up to the date of this	s application as \$		
	That's saledated the another of the major apic the sale of the	Amount owing //o Interest rate p.a.		
	Dates			
	Sub-total on which the filing fe	Period interest payable		
l ale	o want to claim these amounts:	e is calculated.		
	the filing fee	\$ 127.50		
П	bailiff / sheriff / service fee (to serve the documents on your behavior)	alf) \$ 53.40		
	<u>Australian Securities and Investment Commission</u> (ASIC) busine extract or company extract search fee			
	The total amount	of my claim is: \$ 3680.90		
You You cont	vare you seeking payment of the total amounts? MUST provide as much detail as possible, including details of an MUST attach copies of all relevant documents, including but not racts, invoices, receipts and colour copies of photographs. If you application may be dismissed. If there is insufficient space pleas	limited to, any agreements, do not provide this information		
1. I ler	at the respondent \$9,500.00 on 2 February 2021 to purchase a mot	or vehicle.		
	e money was lent to the respondent on the basis that the responde	nt would pay the amount in full		
by 2 December 2021. 3. I received \$6000.00 on 29 November 2021 from the respondent.				
4. There were no discussions in relation to charging interest.				
5. I ha	we not received any further payment from the respondent.			
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Form 3 – Application for minor civil dispute – minor debt





Queensland Civil and Administrative Tribunal

Sign and date here (if more than one applicant is named, then all must sign)						
The information in this application is true to the best of my knowledge.						
Applicant/s sign here	John Ger	Date	16/12/2021			
Print your name/s here	John Edward Gee					
			<u> </u>			

Lodgement Details				
Deliver to:	Mail to:			
Queensland Civil and	Queensland Civil and			
Administrative Tribunal	Administrative Tribunal			
Floor 11, 259 Queen Street	GPO Box 1639			
Brisbane Qld 4000	Brisbane Qld 4001			
OR	OR			
your local Magistrates Court.	your local Magistrates Court.			
To find your local courthouse visit:	To find your local courthouse visit:			
courts.qld.gov.au/contacts/courthouses	courts.qld.gov.au/contacts/courthouses			

WARNING TO RESPONDENTS

You must respond to this application by completing and lodging Form 7 – Response to minor civil dispute – minor debt within twenty eight (28) days after you are given a copy of the application. Otherwise, the applicant may apply to the Tribunal for a decision by default against you.





Dueensland Civil and Administrative Tribunal

INSTRUCTIONS FOR COMPLETING FORM 3

Application for minor civil dispute – minor debt

A minor debt is where another person, business or company owes you \$25,000 or less (excluding interest) and the amount is a fixed or an agreed sum of money.

A minor debt can be:

- a sum of money you lent to another person; an 'I owe you' or 'IOU' note;
- a cheque that was not cleared because the writer of the cheque did not have enough funds to cover it:
- the cost of work done under a written or verbal contract

Do not use this form if:

- someone owes you more than \$25,000 (excluding interest);
- your application is not for a fixed amount;
- you are a consumer having problems with a trader about goods or services:
- you are in conflict with another trader about goods or services;
- you have a claim against a builder for losses associated with residential;
- you have a dispute about a bond held by the Residential Tenancies Authority

Identify and naming parties

The applicant and respondent must be named correctly. If the party is not an individual then you must use the precise/exact company name, a business name (whether it is registered or not, including real estate agencies), or the name of a State agency or department. To ensure that you are taking action against the right organisation you MUST include the correct ABN/ACN for the company or business name. If you do not correctly name a party you may not be able to enforce any order made against them if you succeed in your claim.

Visit the QCAT website for information on identifying and naming the parties or contact the Australian Securities and Investment Commission (ASIC) for business name and company information. A search fee may be charged.

More than one applicant or respondent can be named in an application. If there is more than one, then everyone MUST be named. If there is not enough space to include additional parties, you can attach the contact details (name and address details) on a separate sheet of paper to the application.

You must pay the prescribed application fee when lodging your application. Visit the QCAT website for application fees.

Cash payments can be made in person at the QCAT Brisbane registry or your local Magistrates Court.

Cheque or money order payments are to be made out to 'Department of Justice and Attorney-General'.

Credit card payments can be made by submitting a Credit card payment authorisation form with your application and can only be accepted by post or in person.

You may apply to QCAT for a waiver of the fee on the grounds of financial hardship. To apply, you MUST complete and lodge Form 49 - Application for fee waiver or appeal fee reduction by reason of financial hardship. If you are eligible for a waiver you will not be required to pay the fee.

Instructions - Application for minor civil dispute - minor debt

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Lodging your application form

Before you lodge your application with QCAT you must make **two (2)** photocopies of the application and all attached supporting documents and lodge these together with your original application. An extra copy is required for each additional respondent. If you file your documents in person or by post, you must include a stamped self-addressed A4 envelope.

Giving copies to the respondent

You must give (serve) a copy of the application to the respondent/s no later than 90 days after you lodge the application. You can check the lodgement date by looking at the date stamp on your application form.

If you cannot serve the application on the respondent you must complete a Form 42 – Application to extend or shorten time limit or wavier of compliance with procedural requirement.

You can serve the application personally, by post or by using the services of a Magistrates Court bailiff, commercial agent or process server. Visit the QCAT website for information on serving applications and documents.

Once the respondent has been served, you must complete Form 9 Affidavit of service. An affidavit is a statement sworn under oath/affirmation in the presence of a commissioner of declarations, justice of the peace or a lawyer. The affidavit is required to prove the application has been given to the respondent.

The respondent has 28 days from the date they were served to file a response to your application. To do so they need to complete and lodge Form 7 — Response to minor civil dispute — minor debt.

Visit the QCAT website for information on responding to an application.

What if the respondent doesn't respond?

If the respondent doesn't respond to your application within 28 days, you may be able to apply to QCAT for a 'default decision' to end the matter. A default decision is where the Tribunal makes an order without hearing the evidence from the respondent. To apply for a default decision you will need to lodge the following forms:

- · Form 6 Request for decision by default minor civil dispute minor debt
- Form 9 Affidavit of Service or Part B of the Form 6 Request for decision by default minor civil dispute.

Legal advice and representation

QCAT staff cannot provide legal advice. All parties involved in a matter before QCAT must usually represent themselves unless leave to be represented has been given.

Information about where to seek legal advice is available at Where to seek legal advice.

Witnesses

If you have a witness whose evidence you rely upon to support your claim, that person should complete an affidavit setting out their evidence and attach it to your claim. Your witness may be required to answer questions at the hearing. If the witness cannot attend the hearing in person, they **MUST** be available by telephone.

Withdrawing an application

An application can be withdrawn if you no longer wish to proceed to have the dispute decided by the Tribunal. An application can be withdrawn at any time prior to the final hearing and determination of the application by lodging a Form 58 – Application for leave to withdraw an application or referral / Notice of withdrawal of application or referral online. Visit the QCAT website for more information on how to withdraw an application.

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Queensland Civil and Administrative Tribunal

Protecting your privacy

We collect your contact details to ensure QCAT proceedings comply with the *Queensland Civil and Administrative Tribunal Act* 2009 (Qld). We may contact you to help evaluate QCAT operations. You do not have to participate in feedback or surveys. If you do participate, no identifying information will be published. We will not disclose your contact details or any other personal information to a third party unless required by law.

Contact us

For information about the application process or going to the Tribunal visit the QCAT website.

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