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| Assignment of Part 4A SiteAgreement  | Consumer Affairs Victoria |

***Residential Tenancies Act 1997*** Section 206ZZD

This form may be used by the Part 4A site tenant to assign their rights to a future site tenant.

# Part A - Important information

* A site tenant cannot assign a site agreement without the site owner's written consent.
* If the Part 4A dwelling has a serious defect, the site owner may consent to the assignment of the site agreement to the purchaser, subject to an undertaking that works to rectify the defect will be made to the dwelling within a reasonable time. The undertaking may be made by the vendor or purchaser of the site dwelling.
* The site owner must not unreasonably withhold consent to the assignment. However, they may reasonably refuse consent if the Part 4A dwelling has a serious defect and no undertaking has been given to rectify the defect.
* It is unreasonable for a site owner to withhold consent on the basis of an attribute set out in section 6 of the **Equal Opportunity Act 2010**.
* The site tenant has the right to apply to the Victorian Civil and Administrative Tribunal (VCAT) where they consider that the site owner has unreasonably refused to grant their consent.
* An assignment of a site agreement without the prior written consent of the site owner is invalid unless VCAT has determined that consent is not required.
* The site owner or their agent must not charge a fee for consenting to this assignment, but they can ask the site tenant pay reasonable expenses that are reasonably incurred by the site owner because of the assignment.

The site owner, current site tenant and future site tenant should keep a copy of this signed document for their records.

# Part B - Assignment of Part 4A site agreement

### **To be completed by current site tenant:**

Full name of current site tenant:

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| Name of park: |  |
| Address of park: |  |
| Postcode: |  |
| Site number: |  |

Signature of current site tenant:

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| --- |
|  |
| Date: |  / / |

### **To be completed by future site tenant:**

Full name of future site tenant:

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Full names of other people who will reside on this site:

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I declare that I intend to use the site as my primary place of residence.

Signature of future site tenant:

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|  |
| Date: |  / / |

### **To be completed by site owner/agent:**

The site owner/agent is requested to consent to the assignment of site agreement as outlined in this form.

Tick applicable box:

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| --- | --- |
| I consent to the assignment of the site agreement: |  |
| and no undertaking to repair serious defects is required. | □ |
| subject to the current or future site tenant providing an undertaking to remedy a serious defect in the Part 4A dwelling in a reasonable time. My consent will not take effect until you provide me with a copy of the signed undertaking. *Please complete and sign 'If an undertaking is required' on the next page.* Details of the serious defect: | □ |

|  |  |
| --- | --- |
| I do not consent to the assignment of the site agreement: | □ |
| Reason(s): |
|  |

Signature of site owner/agent:

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Printed name:

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|  |

Date:

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# Part C - Undertaking

### To be completed by the site owner requiring the undertaking

An undertaking is a promise from the current site tenant or future site tenant (whoever signs below) to the Part 4A site owner that you will fix the serious defect in the Part 4A dwelling, which the site owner will rely on.

If you provide an undertaking, and the works are not completed in a reasonable time, the site owner may apply to VCAT to seek an order requiring you to complete the works.

We suggest making the undertaking in the field below:

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| I *(name of the person making the promise)* will fix the serious defect in the Part 4A dwelling situated at *(full address of the Part 4A dwelling)* within a reasonable time.I acknowledge the serious defect is (*describe the serious defect)*, and it is expected the following works are required to fix it:* (*List required works to fix it*)
 |
| Date: |  / / |
| Signature of person giving undertaking |  |
| Full name of person giving undertaking |  |
| Role of person giving undertaking | Current site tenant / future site tenant *(please circle)* |

You must give a copy of this signed undertaking to the site operator. You should keep a copy.

**Help or further information**

For further information, visit the renting section – Consumer Affairs Victoria website at [www.consumer.vic.gov.au/renting](http://www.consumer.vic.gov.au/renting) or call Consumer Affairs Victoria on **1300 55 81 81**.

**Telephone interpreter service**

If you have difficulty understanding English, contact the Translating and Interpreting Service (TIS) on 131 450 (for the cost of a local call) and ask to be put through to an Information Officer at Consumer Affairs Victoria on 1300 55 81 81.

**Arabic**

إذا كان لديك صعوبة في فهم اللغة الإنكليزية، اتصل بخدمة الترجمة التحريرية والشفوية (TIS) على الرقم 450 131 (بكلفة مكالمة محلية) واطلب أن يوصلوك بموظف معلومات في دائرة شؤون المستهلك في فكتوريا على الرقم 81 81 55 1300.

**Turkish** İngilize anlamakta güçlük çekiyorsanız, 131 450’den (şehir içi konuşma ücretine) Yazılı ve Sözlü Tercümanlık Servisini (TIS) arayarak 1300 55 81 81 numerali telefondan Victoria Tüketici İşleri’ni aramalarını ve size bir Danişma Memuru ile görüştürmelerini isteyiniz.

**Vietnamese** Nếu quí vị không hiểu tiếng Anh, xin liên lạc với Dịch Vụ Thông Phiên Dịch (TIS) qua số 131 450 (với giá biểu của cú gọi địa phương) và yêu cầu được nối đường dây tới một Nhân Viên Thông Tin tại Bộ Tiêu Thụ Sự Vụ Victoria (Consumer Affairs Victoria) qua số 1300 55 81 81.

**Somali** Haddii aad dhibaato ku qabto fahmida Ingiriiska, La xiriir Adeega Tarjumida iyo Afcelinta (TIS) telefoonka 131 450 (qiimaha meesha aad joogto) weydiisuna in lagugu xiro Sarkaalka Macluumaadka ee Arrimaha Macmiilaha

Fiktooriya tel: 1300 55 81 81.

Chinese 如果您聽不大懂英語，請打電話給口譯和筆譯服務處，電話：131 450（衹花費一個普通電話費），讓他們幫您接通維多利亞消費者事務處（Consumer Affairs Victoria）的信息官員，電話：1300 55 81 81。

**Serbian** Ако вам је тешко да разумете енглески, назовите Службу преводилаца и тумача (Translating and Interpreting Service – TIS) на 131 450 (по цену локалног позива) и замолите их да вас повежу са Службеником за информације (Information Officer) у Викторијској Служби за потрошачка питања (Consumer Affairs Victoria) на 1300 55 81 81.

**Amharic**  በእንግሊዝኛ ቋንቋ ለመረዳት ችግር ካለብዎ የአስተርጓሚ አገልግሎትን (TIS) በስልክ ቁጥር 131 450 (በአካባቢ ስልክ ጥሪ ሂሳብ) በመደወል ለቪክቶሪያ ደንበኞች ጉዳይ ቢሮ በስልክ ቁጥር 1300 55 81 81 ደውሎ ከመረጃ አቅራቢ ሠራተኛ ጋር እንዲያገናኝዎት መጠየቅ።

**Dari**

اگر شما مشکل دانستن زبان انگلیسی دارید، با اداره خدمات ترجمانی تحریری و شفاهی (TIS)به شماره 450 131 به قیمت مخابره محلی تماس بگیرید و بخواهید که شما را به کارمند معلومات دفتر امور مهاجرین ویکتوریا به شماره 1300 55 81 81 ارتباط دهد.

**Croatian** Ako nerazumijete dovoljno engleski, nazovite Službu tumača i prevoditelja (TIS) na 131 450 (po cijeni mjesnog poziva) i zamolite da vas spoje s djelatnikom za obavijesti u Consumer Affairs Victoria na 1300 55 81 81.

**Greek** Αν έχετε δυσκολίες στην κατανόηση της αγγλικής γλώσσας, επικοινωνήστε με την Υπηρεσία Μετάφρασης και Διερμηνείας (ΤΙS) στο 131 450 (με το κόστος μιας τοπικής κλήσης) και ζητήστε να σας συνδέσουν με έναν Υπάλληλο Πληροφοριών στην Υπηρεσία Προστασίας Καταναλωτών Βικτώριας (Consumer Affairs Victoria) στον αριθμό 1300 55 81 81.

**Italian** Se avete difficoltà a comprendere l’inglese, contattate il servizio interpreti e traduttori, cioè il Translating and Interpreting Service (TIS) al 131 450 (per il costo di una chiamata locale), e chiedete di essee messi in comunicazione con un operatore addetto alle informazioni del dipartimento “Consumer Affairs Victoria” al numero 1300 55 81 81.