Victorian Small Business Commission form a tenant can use to apply for a binding order

**A person who is a tenant can only apply for a binding order if the Victorian Small Business Commission (VSBC) has issued a certificate under regulation 39 of the** [**Commercial Tenancy Relief Scheme Regulations 2022**](https://www.vsbc.vic.gov.au/wp-content/uploads/2022/02/CTRS-Regulations-2022.pdf) **stating that:**

* **the landlord has failed to respond or sufficiently respond to a dispute notice under regulation 38(5) or**
* **has not engaged in mediation in good faith, in the VSBC’s opinion.**

**A tenant who has been issued this certificate can use the below email to guide their application to the VSBC for a binding order, though only if proceedings have not started in VCAT or a court. When doing so, they will need to supply all of the relevant correspondence and related materials that they haven’t yet provided to the VSBC.**

**The tenant can choose to include a written submission with their application.**

**Form to apply for a binding order**

**VSBC file reference number: [INSERT NUMBER]**

Dear [INSERT NAME OF THE VSBC DISPUTE RESOLUTION OFFICER]

I am applying for a binding order for rent relief under regulation 41 of the Commercial Tenancy Relief Scheme Regulations 2022*.*

I confirm I have not commenced proceedings in the Victorian Civil and Administrative Tribunal (VCAT) or a court in relation to the dispute.

Yours sincerely

[insert name]