

# OPERATOR REQUEST FOR EXTENSION OF TIME BEFORE AN EXIT ENTITLEMENT ORDER IS MADE

*Retirement Villages Act 1999 (the Act) section 182AE*



13 32 20 fairtrading.nsw.gov.au

This form is for the operator of a retirement village to apply to the Commissioner for Fair Trading for an extension of the “prescribed period” referred to in section 182AB(9) of the Act. The operator must give written notice to the former occupant of the premises that such an application has been made. Such notice must be served on the former occupant within 7 days of making the application. The operator must demonstrate that they have not unreasonably delayed the sale of the residential premises to which the application relates.

This form is the form approved by the Commissioner for the purposes of section 182AE(2) of the Act.

## Privacy Statement

The personal information contained in this application form and any attached documents will be collected and held by the Department of Customer Service (McKell Building, 2-24 Rawson Place, Haymarket NSW 2000) (**the Department**) for the purpose of determining your application under section 182AE of the Act for an extension of the prescribed period. The consequence of not providing the information requested in this application form is that your application for an extension may not be able to be determined.

The Department will store and manage your personal information in accordance with the provisions of the *Privacy and Personal Information Protection Act 1998*. You may apply to the Department to access your personal information held by the Department or to amend any of your personal information held by the Department that is inaccurate, incomplete, not relevant or out of date. To access or amend your personal information, applications should be made in writing to the Privacy Coordinator, Department of Customer Service, 2-24 Rawson Place, Haymarket NSW 2000.

The Department may make enquiries and exchange information, including personal information, with other NSW government agencies, other State, Territory or Commonwealth agencies, or relevant non-government entities for the purpose of determining your application.

## 1. Operator details

Name of retirement village

Operator name

Telephone number

Mobile number

Email address

## 1. Operator details *continued*

### Village Manager

Title Given name

Family/Surname

Telephone number

Mobile number

Email address

## 2. Resident details

Title Given name

Family/Surname

Address

Suburb

State

Postcode

Telephone number

Mobile number

Email address

## 3. Operator information

Please provide the reference number specific to the Exit Entitlement Order for which you are requesting an extension.

Have you given written notice to the former occupant of the residential premises that the application relates to within 7 days of making this request?

Yes

No

Failure to do so is an offence with maximum penalties of \$11,000 for corporations and \$5,500 for individuals.

Why are you applying for an extension? (Please include all matters you wish to be considered in deciding whether or not to grant the extension.)

**Note:** Additional pages may be attached if required.

### 3. Operator information *continued*

What length of extension time is requested?

Provide evidence that you have not unreasonably delayed the sale of the residential premises to which the application relates.

Have you made a request for an extension of time in respect of the same residential premises within the last 12 months?

Yes

No

### 4. Declarations

Do you declare that this application, including all statements you have made and all information you have provided in relation to the application, and any documents you have provided in support of the application, is/are not false or misleading?

Yes

No

**Note:** Making a false or misleading application, or providing false or misleading information or documents, is a serious offence under Part 5A of the Crimes Act 1900 (NSW), carrying a maximum penalty of imprisonment for 2 years or a fine of \$22,000 (or both).

Do you declare that you have read and understood the Privacy Statement?

Yes

No

Do you consent to the Department making enquiries and exchanging information, including any personal information, with other NSW government agencies, or other States, Territories and/or the Commonwealth for the purpose of determining this application?

Yes

No

Full name

Position/Title

Signature

Date (DD/MM/YYYY)

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## 5. Documentation checklist

Please attach all below documents in the checklist to this form.

Copy of evidence to show the sale of property has not been unreasonably delayed.

Copies of any relevant correspondence between you and the other party.

Copy of valuation.

Please DO NOT send ORIGINAL documents, if they are required Fair Trading will request them. If you have not provided all documents on the checklist your application may be declined.

## How to lodge this form

This application and supporting documents may be lodged with the Fair Trading enquiries / complaints form. Further information is available:

<https://www.fairtrading.nsw.gov.au/housing-and-property/retirement-villages/applying-for-an-exit-entitlement-order#operatorscanapplytoextendtheeeo2021>

There is NO FEE to complete this form and lodge the application.

## Important information

**Please note, a hearing will not be conducted. A decision will be made on the information provided in this application along with any submissions made by the operator and the former resident.**