

# Preparing for a SACAT hearing about a domestic abuse application

## What type of matters can SACAT resolve?

If you are a tenant or resident of a rooming house who is experiencing domestic abuse, then SACAT may be able to resolve issues relating to your residential tenancy or rooming house agreement.

You or a co-tenant may apply to SACAT to:

- terminate a residential tenancy
- have the perpetrator removed from the agreement so that you can remain in the property
- remove you from the agreement
- make an order that the landlord or agent not list you on a Residential Tenancy Database (tenant 'blacklist')
- determine how the bond will be refunded

In certain circumstances, the South Australian Housing Authority (SAHA), a subsidiary of SAHA or a community housing provider may apply to terminate a residential tenancy.

To make any of these orders, the Tribunal must be satisfied that:

- there is an intervention order in force against a person who resides at the property for the protection of the applicant or a domestic associate of the applicant who normally or regularly resides at the property or
- that a person who resides at the property has committed domestic abuse against the applicant or a domestic associate of the applicant who normally or regularly resides at the residential premises

## What evidence should I provide to the Tribunal?

If you want the tenancy or rooming house agreement terminated because of domestic abuse you should:

- provide a copy of a current intervention order made by a court
- provide other evidence of domestic abuse (eg, a report from a domestic violence agency, medical reports, photos, police report, statutory declarations/affidavits of witnesses)
- provide a copy of the tenancy agreement (if possible)

If you think the landlord or proprietor might disagree with your application, be prepared to tell the SACAT Member why it would cause you hardship for the tenancy or rooming house agreement to continue.

If you want an order for a new tenancy or rooming house agreement in your name, then in addition to the evidence described above, you will also need:

- evidence that you can afford the rent and bond (eg, pay slips)
- provide evidence that you meet the eligibility requirements of the South Australian Housing Authority or a community housing provider (where relevant)
- provide evidence of any support you may have to assist you with a new tenancy (eg, financial support from an employer or family member)

If you think the landlord or rooming house proprietor might not want the tenancy or rooming house agreement in your name, be prepared to tell the SACAT Member why it is important for this to happen. You, or some other person, may also give verbal evidence at the hearing.

## Will the evidence I provide be given to the other party?

Any evidence which you provide to SACAT and which you are asking the member to take into account must be provided to the other party.

If the evidence contains some confidential information which is not relevant, you may ask SACAT to exclude that information but you will be asked to provide SACAT with a full copy and a copy with the information excluded. A Tribunal member will make a decision about your request for certain information to remain confidential.

## What safety measures are in place for the hearing?

All current contact details that you provide are redacted by SACAT when provided to the other persons involved in the application.

There are security guards present on both Level 4 and Level 7 of SACAT's offices. If a security concern is raised by any party or by the Tribunal, then a guard may also be present in the hearing room.

If there is an intervention order in place, the Tribunal will usually provide two hearing rooms with one party in each room, connected by teleconference or video conference. The Tribunal Member may move from one room to another to take evidence from each person. You should communicate with the Tribunal about your preferences concerning how the Tribunal hearing will be conducted.

You may have a family member or friend accompany you to the hearing as a support person, or have an advocate appear on your behalf at the hearing. Consumer and Business Services' factsheet, "[Domestic violence protections for the tenancy sector](#)", provides the contact details of a number of service providers who may be able to assist you.

## Applying to SACAT

All applications to SACAT are completed through our online application form which you can find at our website: [www.sacat.sa.gov.au](http://www.sacat.sa.gov.au).

All the information you are required to provide will be contained in the online application form.

If you are unable to complete the form online, you can contact the Tribunal for assistance on 1800 723 767. You can also visit SACAT's offices at Level 4 or 7, 100 Pirie Street, and use a computer at one of SACAT's public kiosks.

## Fees

SACAT may completely waive the application fee if you are making an application to terminate your tenancy on the basis of domestic abuse.

Further information about SACAT fees and charges is available at our website, [Fees and charges](#) and [Fee waivers and exemptions](#).

## Contact the Tribunal

If you would like to speak to a staff member about housing applications involving domestic violence, please telephone SACAT on 1800 723 767 (select option 4 and then option 1).

See also the [Domestic Violence Protections for the Tenancy Sector factsheet](#) for a list of advocacy and service providers, or call Consumer and Business Services on 131 882.

You may also seek legal advice or support from the Women's Domestic Violence Court Assistance Service.

- **Phone:** 1800 246 642
- **Website:** <https://wvdcas.lsc.sa.gov.au>

This information sheet does not constitute legal advice and does not relate to the circumstances of any individual matter. If you wish to have legal advice you should seek that independently.