



# Request to issue warrant for possession

Complete this form to request a warrant for possession if the tenant or resident does not comply with NCAT's order to vacate the premises. The warrant will authorise a Sheriff's Officer to evict the tenant or resident from the premises.

## 1. ORDER DETAILS

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NCAT File Number:

Address of premises:

Date of NCAT's order:

Date possession was to be given:

Why are you requesting the warrant?

- The tenant/resident has not complied with the Tribunal's order and is still in possession of the premises
- The co-tenant has not complied with the Tribunal's order and has not vacated the premises

## 2. PERSON IN WHOSE FAVOUR THE TRIBUNAL ORDER WAS MADE

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Are you the?  Landlord  Co-Tenant  Operator

Full name

Postal Address

Contact details      Daytime telephone      Mobile  
Email

## 3. TENANT, RESIDENT OR CO-TENANT DETAILS

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Full name

Postal Address

Contact details      Daytime telephone      Mobile  
Email

## 4. SIGNATURE

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Name

Signature

Date

**Return this form to NSW Civil and Administrative Tribunal (NCAT)**

For NCAT Registry locations and contact details visit the [NCAT website](https://www.ncat.nsw.gov.au). For all NCAT enquiries telephone 1300 006 228 or visit [www.ncat.nsw.gov.au](https://www.ncat.nsw.gov.au).

# INFORMATION ABOUT WARRANTS FOR POSSESSION

## Important note about residential tenancy and social housing matters

If a tenant pays the amount owing or entered into and fully complied with a repayment plan, the landlord MUST notify the Office of the Sheriff if the termination order has been made and a warrant for possession has been issued but not enforced.

If a termination and possession order is made because the tenant has frequently failed to pay rent, the above information does not apply.

## What is a warrant for possession?

A warrant for possession is an official document issued by NCAT. The warrant authorises a Sheriff's Officer to evict the tenant, resident or co-tenant from the premises.

NCAT issues warrants for possession in tenancy, social housing, holiday parks, resident communities, retirement village, agricultural tenancy and retail lease matters.

## What is the applicable legislation?

NCAT can issue warrants for possession of premises under the following legislation:

- *Residential Tenancies Act 2010* – section 121
- *Holiday Parks (Long-term Casual Occupation) Act 2002* – section 30
- *Residential (Land Lease) Communities Act 2013* – section 134
- *Retirement Villages Act 1999* – section 140
- *Agricultural Tenancies Act 1990* – section 21
- *Retail Leases Act 1994* – section 72

## Who can request a warrant?

The person in whose favour NCAT's order was made can request a warrant for possession

This may be one of the following:

- Landlord or landlord's agent
- Co-tenant
- Operator of a residential community, holiday park or retirement village
- Farm owner
- Lessor

## When can I ask for a warrant?

You must wait until after the day of possession has passed before requesting a warrant.

## For immediate possession

If NCAT ordered immediate possession, a warrant can be requested once the NCAT orders are served on the tenant/co-tenant/resident.

## Are there any time limits?

Time limits apply only for tenancy, social housing and residential communities matters.

You must request the warrant **within 30 days** from the date of possession ordered by NCAT.

If your warrant request is made out of time, NCAT may list the matter for another hearing. A Tribunal Member will decide if a warrant should be issued.

The warrant is **valid for 28 days** from the date of issue.

## What do I do with this form?

Lodge your request to issue a warrant to an NCAT Registry. You can do this by email, post or in person.

When NCAT receives your request, we will:

- issue the warrant for possession
- send the warrant electronically to the Office of the Sheriff
- send a letter to both parties advising a warrant for possession has been issued.

## Is there a fee to issue a warrant?

There is **no fee** payable to request a warrant for possession from NCAT. The Office of the Sheriff of NSW will charge a fee to execute the warrant.

Visit the [Office of the Sheriff website](#) for details on enforcement costs.

## How do I arrange for the warrant to be executed?

The person entitled to possession must -

- complete the [Office of the Sheriff Eviction Booking Request Form \(PDF\)](#) and
- pay the Office of the Sheriff's fee for service and execution of the warrant.

## What does the warrant do?

The warrant contains instructions to the Office of the Sheriff to enter the premises and take all steps reasonably necessary to gain possession of the premises.

## When should I contact the Office of the Sheriff?

The person entitled to possession should contact the Office of the Sheriff no later than 14 days after NCAT has issued the warrant.

## More information

For NCAT Consumer and Commercial Division Registry locations visit the [NCAT website](#). For all NCAT enquiries telephone 1300 006 228 or visit [www.ncat.nsw.gov.au](http://www.ncat.nsw.gov.au).