

Enforcing orders

Orders made by NCAT are binding and legally enforceable. If orders are made in your favour and they are not being complied with, there are enforcement options available.

Enforcing money orders

What is a money order?

When NCAT makes an order about the payment of money it is called a 'money order'.

If the money order is not paid in the time allowed by the Tribunal the person who is owed the money can take the money order to the Court to have it enforced.

A sealed copy of the money order issued with the orders made by NCAT.

How do I register the money order?

You can register the money order online via the NSW Online Registry website or take it to a NSW Local Court (or NSW District Court for amounts over \$100,000). The money order can then be registered as a judgment. The Court will charge a filing fee to register the money order to commence the enforcement process.

How do I enforce the judgment through the Court?

With the registered judgment, you can start enforcement action through the Court to recover the money you are owed. Enforcement action may include applying for a 'garnishee order' to have money taken from the judgment debtor's wages or bank accounts, or a 'writ for the levy of property' to authorise the Sheriff to seize and sell property belonging to the debtor to pay the debt.

Visit the [Legal Aid NSW](#) website for a step by step guide to enforcing NCAT money orders through the Court

Warrants for possession

A 'warrant for possession' authorises a Sheriff's Officer to enter the premises and take all reasonable steps necessary to remove the tenant, co-tenant or resident and their goods from the premises.

If NCAT has made an order for termination and possession, and the tenant, co-tenant or resident does not leave the premises, the person in whose favour the order was made can apply to NCAT to issue a warrant for possession.

An order for termination and possession can be made in residential tenancy, holiday parks, residential communities, retirement villages, agricultural tenancy and retail lease matters.

How to request a warrant

The warrant for possession request form is available on the NCAT website. The warrant request can only be made after the date of possession has passed, and **within 30 days** from the date of possession. Where orders are made for immediate possession a warrant can be requested as soon as the orders are served.

Can I still apply for a warrant after 30 days?

If you request a warrant outside the 30 day time period, the matter will be listed before NCAT to determine whether the warrant should be issued. If a lengthy period of time has passed you should seek independent legal advice.

What do I need to do when the warrant has been issued?

The warrant will be sent electronically to the NSW Sheriff's Office and all parties will be notified. You must contact the NSW Sheriff's Office within 7 days to arrange for a date and time for the warrant to be executed.



You will need to complete the NSW Sheriff's Office 'Eviction Booking Request Form' and pay the fee. The warrant must be executed within 28 days of the date of issue.

If the arrears are paid or the parties agree on a repayment plan before the warrant has been enforced, you should contact the NSW Sheriff's Office.

For more details visit the [NSW Sheriff's Office website](#) or contact the NSW Sheriff's Office Civil Operations Unit on (02) 8688 4080 or eoc@justice.nsw.gov.au.

Renewal of proceedings

If NCAT makes an order to do work or take action, and the order is not complied with within the period specified, you can apply to NCAT to renew the proceedings.

A renewal of proceedings means that you are asking NCAT to consider changing the original orders into a money order, or in limited circumstances a further work order. You can seek to renew one or all of the orders made in the original proceedings.

How to apply for a renewal of proceedings

A renewal of proceedings application can be lodged using [NCAT Online Services](#). The application must be lodged within the time specified in the original order or, if no time specified, within 12 months of the date for compliance as set out in the original order.

Contact NCAT

1300 006 228 | www.ncat.nsw.gov.au

For more information and assistance visit the NCAT website www.ncat.nsw.gov.au or contact NCAT on **1300 006 228**.