LAW AND JUSTICE FOUNDATION OF NEW SOUTH WALES

Data-driven Insights into NCAT Tenancy Dispute Resolution

LAW AND JUSTICE FOUNDATION OF NEW SOUTH WALES

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We acknowledge the Traditional Custodians of the Country on which we work and live. We acknowledge their history, culture and continuing connection to land, sea, sky and community. We pay our respects to Elders past and present.

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We also appreciate the opportunity to contribute to the broader review of the NSW Civil and Administrative Tribunal's role in tenancy dispute resolution. The insights presented in this report are intended to inform evidence-based policy and support the development of accessible, fair, and effective processes for resolving tenancy matters in New South Wales.

Glossary

The following glossary provides definitions of key terms used throughout this report. It is intended to support clarity and consistency, particularly where NCAT processes or data structures involve specialised terminology. Where appropriate, definitions reflect how terms are used within NCAT's Case Management System (CMS) and the analytical framework of this report.

Application
A formal request, complaint, referral or other document lodged with to NCAT to start a new process.

Applicant / Respondent
The applicant is the party who initiates the application to NCAT. The respondent is the other party to the dispute. Either a tenant or landlord may be the applicant or respondent, depending on the nature of the dispute.

Case
A group of one or more applications relating to the same underlying tenancy dispute. Used in this report to describe case-level analysis, which provides a broader view of dispute progression beyond individual application events.

Conciliation
A confidential, informal process where parties are encouraged to reach agreement with the assistance of a Tribunal Member or conciliator. If successful, the agreement may be formalised through a consent order.

Consent Order
An order made by the Tribunal to reflect an agreement reached by both parties during conciliation. Consent orders are enforceable and treated as final orders.

Contested Hearing
A hearing where both parties appear and present evidence and arguments before a Tribunal Member. Contested hearings are formally listed and typically occur when the dispute is unresolved after conciliation.

CMS (Case Management System)
NCAT's internal system for recording applications, listings, party details, orders, and other procedural information.

Dismissal / Withdrawal
An application may be dismissed by the Tribunal (e.g. for lack of jurisdiction or non-attendance) or withdrawn by the applicant. These applications are counted as finalised but may not result in a substantive resolution.

Listing
A scheduled event at NCAT (e.g. conciliation, hearing, directions) where the application is actively considered. Most applications are listed at least once.

Order
A decision made by NCAT that is legally binding on the parties involved in the dispute. An order may or may not give effect to a final decision or agreement.

Registry
The NCAT office that manages the processing and scheduling of applications. Each application is associated with a registry location, which may differ from the place of dispute.

Set Aside / Reinstatement
Procedural orders used to reopen a matter that has previously been finalised (e.g. due to non-appearance), allowing it to be reconsidered.

Social Housing list
The Social Housing list includes public housing, managed by the NSW Government, and community housing, managed by not-for-profit providers.

Specific Performance Order (SPO)
An order commonly used in social housing matters requiring a party (typically a tenant) to take or refrain from specific action—such as paying arrears—within a specified timeframe.

Termination Order
An order ending a tenancy agreement and specifying a date by which possession must be returned to the landlord.

Warrant for Possession
An enforcement mechanism used to give effect to a termination order. If the tenant does not vacate by the specified date, the landlord may apply for a warrant to take possession. This is executed by the NSW Sheriff's Office.

Executive Summary

This report presents findings from an analysis of 39,707 tenancy applications finalised by the NSW Civil and Administrative Tribunal (NCAT) in 2024. It provides detailed insights into how tenancy disputes are initiated, managed, and resolved across the Residential Tenancy and Social Housing lists. It also provides a source of evidence to be considered as part of the NSW Government's broader review of NCAT's role in the evolving rental landscape.

The analysis draws on data from NCAT's case management system and captures information about applicants and respondents, party roles, orders sought and made, listings, and outcomes. While most applications are finalised within three weeks, the underlying pathways to resolution are complex. Applications may be withdrawn, adjourned, or resolved through consent orders, while others progress to formal hearings or repeat listings before being closed. Importantly, finalisation in the administrative data does not always reflect substantive resolution.

Key Insights

- **Landlords initiated most applications** (76%), with tenant-initiated applications more common in the private rental sector. In social housing, applications were overwhelmingly initiated by institutional landlords under structured tenancy management practices.
- **Conciliation was a key pathway,** with one in four matters finalised by consent. These were particularly common in social housing, where Specific Performance Orders are routinely used to sustain tenancies through negotiated compliance.
- **Most tenancy applications were finalised promptly,** with 66% resolved within four weeks and more than 81% within six weeks. Median resolution times were 21 days for Residential Tenancy matters and 22 days for Social Housing, indicating that the majority of applications were finalised within NCAT's service standard targets.
- **Only 10% of matters escalated to a contested hearing,** but these matters took nearly five times longer to resolve (median 101 days) and carried a higher procedural burden.
- **Warrant requests were common after termination orders,** especially in social housing where 99% of termination orders were followed by a warrant request. This reflects both enforcement needs and routine tenancy management practices.
- **34% of applications were withdrawn or dismissed**. While some may reflect informal resolution, others may indicate disengagement or challenges navigating the process.
- **Most matters were finalised within NCAT's service standard,** particularly termination-related cases. However, contested matters and those involving more procedural steps were less likely to meet timeliness benchmarks.

Interpreting the Data: Beyond the Numbers

While administrative data provides a comprehensive view of how applications move through NCAT, it cannot capture how parties experience the process. Findings from the STEP Study,[1] a companion research project involving interviews with tribunal users, revealed that many tenants—particularly those who were self-represented—struggled to understand their rights, navigate proceedings, or enforce orders after a hearing. Even when procedural steps were followed correctly, users often felt disempowered or unsupported.

These findings reinforce the need to consider resolution not only as a procedural outcome, but as a lived experience. Final orders, listings, and warrant activity may reflect formal completion, but they do not guarantee clarity, compliance, or a sense of fairness for all parties.

Implications and Future Considerations

NCAT plays a vital role in managing tenancy disputes, but continued attention is needed to ensure accessibility, procedural clarity, and post-order support, particularly for vulnerable tenants.

- **Ongoing review of NCAT's data systems and outputs** will be important to ensure the data collected is fit for purpose and capable of supporting policy, service design, and accountability. Making data more readily usable and open to interrogation will help improve transparency and support informed decision-making.
- **Recent tenancy law reforms in NSW,** including changes to termination provisions and rent increase restrictions, may influence both the volume and nature of applications to NCAT. Continued monitoring will be essential to assess their impact on tribunal demand and dispute resolution pathways.
- **User experience data** when combined with administrative insights, as done through the STEP Study, supports a more complete picture of the Tribunal's role in ensuring housing stability and procedural justice.

1 Butler K, Davies K, Kothe E. (2025) Study of Tenancy Dispute Experience and Preparedness at NCAT, Law and Justice Foundation of NSW.

About this Report

Context and Purpose

The NSW Government has committed to a series of reforms to protect NSW renters, including a review of the role of the NSW Civil and Administrative Tribunal (NCAT) in tenancy disputes. This report offers data-informed insights as part of the evidence base for this review.

NCAT's statutory purpose is to resolve applications quickly, affordably, and in a way that meets the needs of its users.[2] By examining the available data on NCAT's operation and use, this report also contributes evidence to a better understanding the extent to which NCAT's statutory purpose is being fulfilled in relation to tenancy matters.

This report contributes to the review, and to an evidence-based understanding of NCAT, by analysing administrative data from tenancy applications lodged at NCAT, with a focus on:

- The types of parties involved
- Hearing attendance and representation
- Application types and outcomes
- Timeliness and patterns in progression to finalisation.

About the Data and Methods

DATA SOURCE AND SCOPE

This report draws on administrative data provided by the NSW Civil and Administrative Tribunal (NCAT) for tenancy matters finalised in 2024. The dataset includes 39,707 applications recorded in the Residential Tenancy and Social Housing Lists within NCAT's Consumer and Commercial Division. These two lists are collectively referred to in this report as the Tenancy Lists. Multiple datasets were provided, including finalisation records, listings, interpreter requests, fee records, and warrant requests. For a full list of datasets see Table 10.

UNIT OF ANALYSIS

The primary unit of analysis is the application. Each application represents a formal request for orders lodged with the Tribunal. Applications may initiate a new matter or respond to an existing one, for example by requesting a set aside, variation, or reinstatement of a previous application. As such, multiple applications may relate to the same underlying dispute.

A separate case-level analysis was conducted to explore progression patterns and contested hearings. This method grouped applications that appear procedurally related, providing a broader perspective on the duration and complexity of cases that return to the Tribunal across multiple procedural events. While this approach does not allow precise tracking of ongoing party relationships or repeat applications, it provides valuable insights into the procedural demands and resolution timeframes of tenancy matters that extend beyond a single application.

2 Civil and Administrative Tribunal Act 2013

APPLICATION TYPE AND PARTY ROLE

Each application record includes applicant type (individual or organisation) and party role (landlord, tenant, or other). In NCAT tenancy matters, both landlords and tenants may appear as applicants or respondents, depending on the nature of the dispute. This report uses 'landlord' and 'tenant' when referring to the party's role in the tenancy relationship, and 'applicant' and 'respondent' when referring to their procedural role in a given application.

INTERPRETER REQUESTS

Interpreter data was provided at the listing level. Requests could not be linked to individual parties, so the applicant or respondent role of the person requesting an interpreter is unknown. Interpreter use may also be under-reported, particularly if requested informally.

ORDERS SOUGHT AND FINAL ORDERS

The dataset includes only the primary order sought and the primary final order made for each application. Where multiple orders were requested or granted, only the first order is captured. As such, common secondary orders—such as money orders sought alongside termination—may be underrepresented. This limitation also prevented reliable comparison between orders sought and orders made.

WARRANTS

Warrant data was provided as a separate dataset and successfully linked to application-level records for tenancy matters. The dataset includes only warrants for possession; other forms of enforcement are not captured. Warrant requests could be linked to termination orders for analysis, but the dataset does not include information about whether a warrant was executed. Warrant applications must be lodged within 30 days of the NCAT-ordered possession date and only after that date has passed.

GEOGRAPHIC DATA

Each application record includes a 'place of dispute' postcode (typically the address of the rental property) and the registry location handling the matter. Rates of application per 1,000 rental dwellings were calculated using 2021 Census data. Results for postcodes with small rental populations should be interpreted with caution.

ROUNDING

All percentages in this report have been rounded to one decimal place. As a result, totals in some tables may not add to exactly 100%.

SMALL NUMBER SUPPRESSION

To protect privacy, all frequency counts under 5 are reported as <5 throughout the report.

Introduction

Tenancy Issues

New South Wales is currently experiencing an unprecedented rental crisis, with affordability reaching record lows. Recent analyses by Anglicare[3] indicate that individuals earning the minimum wage can afford only 2% of available rentals in Greater Sydney and the Illawarra, underscoring the severity of the situation. The crisis is particularly acute in Sydney, where affordable housing options are virtually non-existent for low-income earners. Contributing factors include a state vacancy rate of just 1%, reflecting a tight rental market, and significant rent increases outpacing wage growth, leading to widespread housing stress. These conditions have intensified calls for policy interventions to address the shortfall in affordable housing and provide relief to struggling renters.[4]

In the current climate of acute rental stress, characterised by record-high rents, low vacancy rates, and a significant increase in rental stress among low-income households, the role of NCAT in resolving tenancy disputes has become increasingly critical. As more renters face insecure housing, unaffordable rents, and limited alternatives, tenancy disputes are not only more frequent but also carry greater consequences for individuals and families. NCAT often represents the final opportunity for tenants to assert their rights or negotiate the terms of their housing, particularly for those without legal representation or other support. Understanding how tribunal processes are experienced, especially by vulnerable and self-represented parties, provides essential insights into the fairness, accessibility, and effectiveness of tenancy dispute resolution in this high-stakes environment.

For some tenancy issues, applicants may first seek assistance from the NSW Department of Fair Trading (DFT) before applying to the Tribunal. DFT provides information, guidance, and informal dispute resolution services under the Residential Tenancies Act.[5] Where issues cannot be resolved, parties may proceed to lodge an application with NCAT. While both agencies operate under the same legislative framework, there is no formal case referral system between them, and applicants must initiate a separate process to have their application heard at the Tribunal. NCAT is the only forum in New South Wales that can issue legally binding orders under the Residential Tenancies Act 2010 (NSW), such as termination of lease, orders for rent repayment or compensation, bond disputes, and repairs or access.

3 Anglicare Australia 2024: Rental Affordability Snapshot
4 Everybody's Home (2024) 'Voices of the Crisis: Final Report from the People's Commission into Australia's Housing Crisis.' Everybody's Home: Melbourne.
5 Residential Tenancy Act 2010

Data Insights

Tenancy Lists

This analysis draws on administrative data for 39,707 tenancy applications finalised by the NSW Civil and Administrative Tribunal (NCAT) between 1 January and 31 December 2024. These matters were heard through two dedicated pathways within the Tribunal's Consumer and Commercial Division: the Residential Tenancy List and the Social Housing List.

Residential Tenancy List: 27,232 applications
Social Housing List: 12,475 applications

Together, these applications relate to 38,408 distinct cases, with most cases involving a single application. The Residential Tenancy List primarily involves disputes between private landlords and tenants, while the Social Housing List involves applications brought by or against social housing providers, including government and community housing landlords. While both lists operate under the same legislative framework, the types of parties, disputes, and procedural practices differ—affecting how applications are managed, and resolved.

Each application is recorded in NCAT's case management system (CMS) as a standalone procedural event. This may include a request for a new order, a variation, a reinstatement, or a set-aside, even if related to the same underlying tenancy dispute. As a result, application-level counts represent procedural steps rather than unique tenancy disputes. Wherever possible, this report distinguishes between individual applications and broader case-level patterns.

Geographic Distribution of Applications

Tenancy disputes finalised at NCAT in 2024 were lodged across a wide geographic spread, reflecting housing pressures in both metropolitan and regional areas. Each application is linked to a 'place of dispute' postcode—as well as to the registry location that managed the application. This geographic data allows us to examine patterns in tribunal use, including areas with high demand for tenancy dispute resolution.

Table 1: Applications by Registry Location (n=39,707)

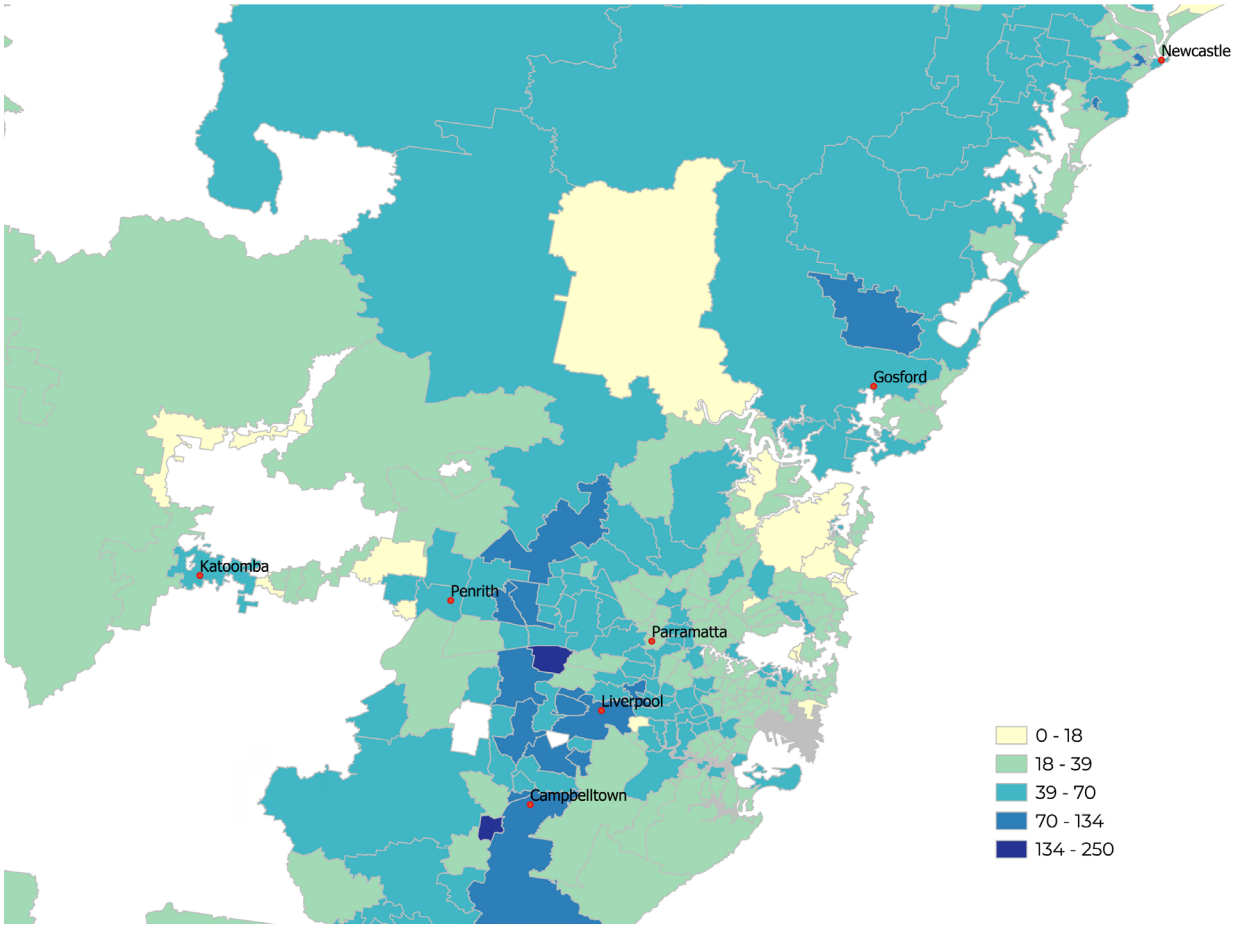
Registry Location	N	%
Sydney	13732	34.6
Liverpool	7559	19.0
Newcastle	5903	14.9
Penrith	4653	11.7
Wollongong	4089	10.3
Tamworth	3771	9.5
TOTAL	**39707**	**100**

To account for differences in rental density across areas, dispute rates were calculated as the number of applications per 1,000 rental dwellings, using 2021 Census data. Maps below show the rate of dispute per number of rental dwellings in the postcode. These dwelling counts include both private and social housing tenancies.

GREATER SYDNEY AREA

In the Greater Sydney area, the largest rate of disputes was in Horsley Park (postcode 2157), where there were 247 rental applications per 1000 rental dwellings.

Figure 1: Applications per 1000 rental dwellings - Greater Sydney

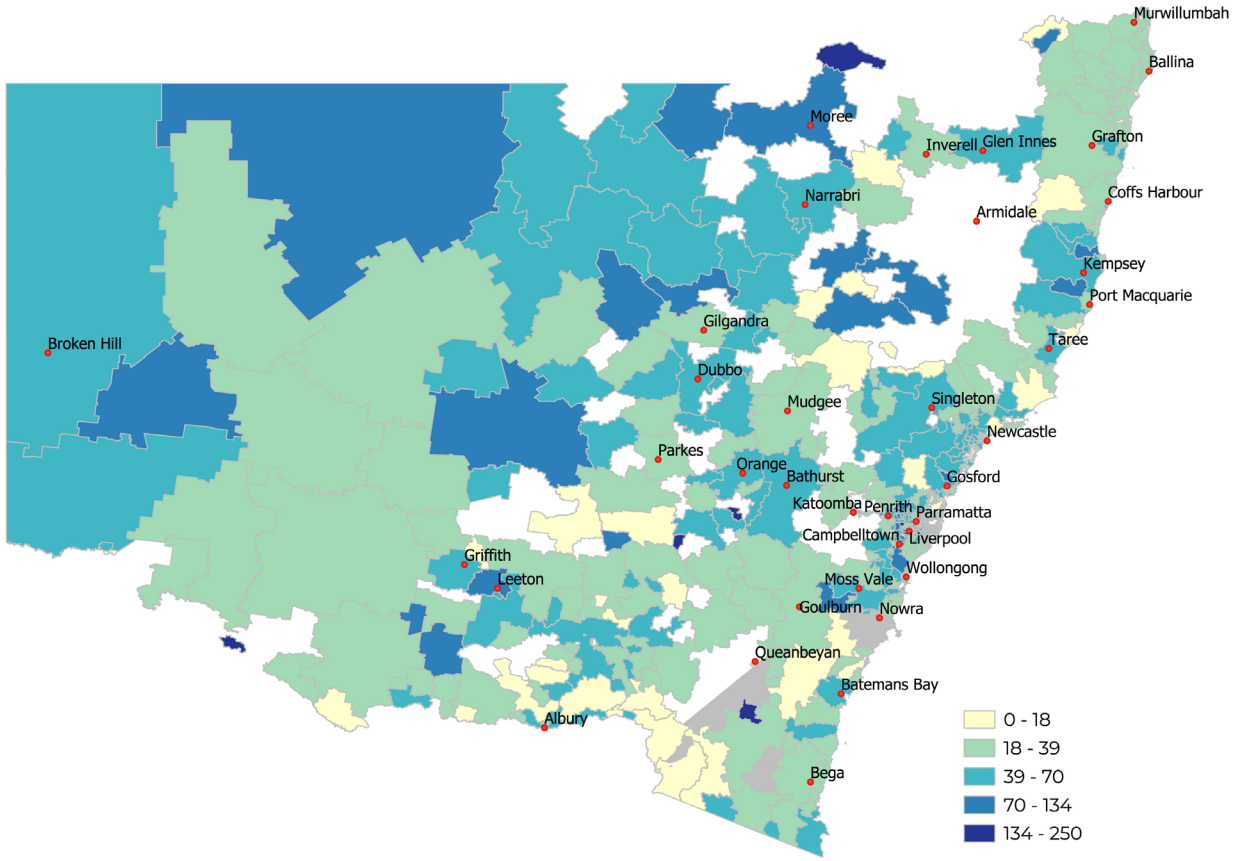


Rates of tenancy applications per 1,000 rental dwellings can be influenced by both the number of disputes and the underlying rental stock. Locations with a relatively small number of rental properties may appear to have high dispute rates due to a small number of applications. As such, high rates should be interpreted with caution—particularly where overall application counts are low—as they may not reflect a widespread or systemic issue.[6]

NEW SOUTH WALES

Rates of tenancy dispute applications in rural and regional areas should be considered in light of structural and geographic factors. These may include limited access to tribunal services, fewer local hearings, and digital or transport barriers. Lower application volumes may also reflect informal resolution practices or reluctance to escalate disputes in small communities. As such, application rates may not fully capture the extent or nature of tenancy issues in these areas.

Figure 2: Applications per 1000 rental dwellings (NSW)



6 Some postcodes were invalid or linked to PO Boxes, which may reflect entry of postal addresses rather than property locations. These cases were excluded from mapped results.

Applications were concentrated in large metropolitan centres, with Sydney, Liverpool, and Newcastle accounting for the greatest volume. Smaller suburban and regional areas, including areas with higher concentrations of social housing or recent residential growth, had the highest rates of disputes per rental dwelling. Socio-economically advantaged areas generally recorded lower rates of tribunal use, possibly reflecting greater housing stability, informal resolution pathways, or reduced barriers to private legal advice.

Application Fees and Other Costs

Application fees are payable by the applicant at the time of lodging a tenancy dispute. From 1 July 2024,[7] individuals are charged a standard fee of $60, while organisations (including companies and government agencies) pay $120. A reduced concession fee of $15 applies to eligible individuals who hold a concession card.

IMPLICATIONS OF APPLICATION FEES

While application fees for NCAT tenancy matters are relatively modest, their impact varies depending on the applicant's financial position and resources. For organisational landlords—including government and community housing providers—application costs are typically absorbed into operational budgets and do not present a barrier to lodgement. In contrast, tenants applying for repairs, bond refunds, or compensation may be doing so under conditions of financial stress or housing instability.

The standard fee of $60 (from 1 July 2024) represents a meaningful cost for applicants on low incomes. A reduced concession fee of $15 is available for those holding an eligible Pensioner Concession Card. This provides an important safeguard, though applicants must self-identify as concession holders at the time of lodgement, and those without formal pensioner status, such as precariously employed renters, are not eligible for the reduced fee.

These different relative impacts of fees contribute to asymmetry between tenants and landlords in accessing the Tribunal. While NCAT remains a relatively low-cost forum, fees may still act as a deterrent for financially constrained tenants, particularly those navigating the system without legal or advocacy support.

INDIRECT COSTS AND PARTICIPATION BARRIERS

Beyond the formal application fee, participating in NCAT proceedings can impose significant indirect costs, particularly for tenants who are experiencing financial stress. These may include the cost of taking time off work to attend conciliation or hearing events, especially for applicants in casual or insecure employment. Additional costs may arise from childcare or other caring responsibilities, transport to registry locations, parking, and the time and effort required to prepare documentation and navigate tribunal processes.

7 For applications lodged between 1 January and 30 June 2024, the standard fee for individuals was $58, the organisation fee was $116, and the concession fee remained $15.

The format of hearings, whether in person, virtual, or hybrid, may also shape access and experience, particularly for applicants in regional or remote areas. However, the dataset used in this study did not include information about virtual hearings, and the implications of digital access or remote participation remain unclear. These less visible costs and access factors are important considerations when evaluating the accessibility, navigability, and fairness of tenancy dispute resolution.

ENFORCEMENT COSTS

NCAT's published online fee schedule lists charges for certain post-hearing services, including certified copies of orders ($98), document retrieval ($98), and photocopying ($2 per sheet). While these fees are not always incurred, their presence on the Tribunal's website may lead parties to anticipate additional costs. In practice, however, some commonly assumed enforcement-related fees do not apply. For example, landlords are not charged a fee to request a warrant for possession, and certified money orders are generated automatically at the time of decision to support enforcement at no further cost. The lack of clear guidance about when fees do and do not apply may contribute to confusion and perceived barriers to enforcement.

While NCAT fees are relatively modest, the cumulative cost of applying to, preparing for, and participating in proceedings can be significant, especially for tenants experiencing financial stress. Application fees, lost income, and additional administrative costs may act as practical barriers, particularly for self-represented applicants without access to support or concession entitlements. These costs are largely invisible in administrative data but can materially affect access to the Tribunal and the ability to assert tenancy rights.

Who are the Parties in Tenancy Disputes?

APPLICANT TYPE: INDIVIDUAL VS ORGANISATION

Understanding whether tenancy applications are lodged by individuals or organisations provides important context about who engages with NCAT and how. As expected, applications in the Social Housing list are overwhelmingly lodged by organisations. In contrast, the majority of applications in the Residential Tenancy list are lodged by individuals, consistent with a private rental market largely comprised of individual property investors and tenants. These patterns are appropriate to the tenancy setting but also mean that the various parties in tenancy disputes are likely to have substantially different levels of familiarity with the processes, legislation and context of NCAT. Organisational applicants, particularly in social housing-related matters, are likely to be frequent users of the Tribunal, operating within policy frameworks and standardised procedures. In contrast, individual applicants may engage more reactively and with greater variability in their procedural knowledge and resourcing. Further insight into the dynamics of tenancy disputes emerges when examining the role of each party—whether landlord or tenant—in initiating applications, as explored in the following section.

When lodging an application in the NCAT Consumer and Commercial Division parties need to identify whether they are an 'organisation' (rather than an individual) for the purpose

of calculating fees. Accordingly, NCAT's CMS identifies applicants as either a person or as an organisation. Companies, businesses, government agencies and non-government organisations are all entered as 'organisations' in the data.

Information about Entity type was available for 36,119 finalisations.8 Of these, 62% of applications were lodged by an Individual and 38% were lodged by an organisation. The proportion of finalisations lodged by an organisation was expectedly higher for the Social Housing List (94%) compared to the Residential Tenancy List (12%).

Table 2: Entity type of applicant (n=36,119)

Entity Type of Applicant	All Housing Matters	Residential Tenancy	Social Housing
Individual	62%	88%	6%
Organisation	38%	12%	94%

Information about entity type was missing for 3,588 applications that were not present in the fees dataset.

These figures are based on fee payment records, where applicants indicate if they are applying as an individual or corporation. This field is primarily used for fee calculation and may include some user error.

APPLICANT ROLE: LANDLORD VS TENANT

Most tenancy applications are lodged by landlords, reflecting their central role in initiating formal action to manage tenancies, particularly in cases of non-payment of rent, breaches of agreement, or requests for possession. Across all tenancy lists, landlords lodged 76% of applications, with tenants accounting for 21%, and a small proportion (4%) categorised as "other". This category reflects free-text entries provided by applicants and may include descriptors such as co-tenants, agents, or other non-standard roles. Applicant type was recorded for all but five applications in the dataset.[9]

This pattern varies notably by list type. In the Social Housing list, 91.7% of applications were lodged by landlords—primarily institutional housing providers—compared to 68.7% in the Residential Tenancy list. While landlords are the predominant applicants across both lists, the proportion of tenant-initiated matters is significantly higher in the private rental market (26.4%) than in social housing (7.5%). This likely reflects a combination of structural, informational, and relational factors. Tenants in the private market may be more likely to lodge applications seeking bond recovery, repairs, or compensation, while social housing tenants may face greater barriers to initiating formal proceedings or be less aware of their rights and available remedies.

8 Missing data is largely due to finalisations that were not included in the Fees dataset.
9 Data is reported for the *first* applicant or respondent only.

Table 3: Applicant type by list (n=39,707)

Applicant Type	All Housing Applications	Residential Tenancy	Social Housing
Landlord	75.9%	68.7%	91.7%
Tenant	20.5%	26.4%	7.5%
Other	3.7%	5.0%	0.8%

Landlords are the primary applicants in tenancy disputes, particularly in social housing where dispute initiation is typically driven by institutional tenancy management processes. The higher rate of tenant-initiated applications in the private rental market suggests greater variation in dispute types and a more active tenant voice. However, this may also reflect differing levels of awareness, confidence, or access to support.

PARTY ATTENDANCE AT HEARINGS

Attendance data was available for all listed applications (n = 33,774), providing insight into how often parties appear at hearings. Overall, both parties attended in 35.1% of applications, while applicant-only attendance was more common, occurring in 42.8% of listed matters. Respondent-only attendance was relatively rare, at just 4.9%. Neither party attended in 17.1% of cases, with variation between list types.

Patterns of attendance differed significantly between the Residential Tenancy and Social Housing lists. Social housing applications were significantly more likely to involve attendance by the applicant only (65.1%) compared to the Residential Tenancy list (32.1%). In contrast, matters where both parties attended were more common in the Residential Tenancy list (40.1%) than in Social Housing (24.8%).

Table 4: Party attendance by list (n=39,707)

Party Attendance	All Housing Applications	Residential Tenancy	Social Housing
Neither party	17.1%	21.1%	8.8%
Applicant Only	42.8%	32.1%	65.1%
Both Parties	35.1%	40.1%	24.8%
Respondent Only	4.9%	6.7%	1.3%

Low respondent attendance for social housing applications is likely influenced by the high use of Specific Performance Orders (SPOs) in this list. SPOs are typically used to direct tenants to remedy a breach of their tenancy agreement—often related to rental arrears—within a specified timeframe. Prior to applying for an SPO, social housing providers frequently engage with tenants to explain the proposed order and negotiate compliance. Where agreement is reached, tenants are often advised that they do not need to attend the hearing, as the matter will proceed by consent before the Tribunal. While these consent orders are formal decisions of the Tribunal this process reflects an internal tenancy management pathway that may shape

tenants' participation. It also raises broader considerations about transparency, perceived fairness, and procedural engagement.

Attendance also varied by party role. Only 12.7% of tenant-initiated applications involved attendance by the applicant alone, compared to 50.8% of landlord-initiated applications. This suggests that tenants who take the step of lodging an application are more likely to participate actively in the hearing process, while landlords, particularly institutional landlords, may rely on representation or standardised procedures that do not require attendance by the applicant personally.

Attendance patterns reflect underlying procedural norms and power dynamics. Tenant applicants are more likely to attend their hearings, signalling active engagement with the dispute process. In contrast, landlord applicants, especially in social housing, frequently proceed without the respondent present, often through routinised processes such as Specific Performance Orders. While these arrangements may support efficiency, they also raise questions about procedural visibility and the degree to which tenants are meaningfully participating in decisions that affect their housing.

INTERPRETER REQUESTS

NCAT's Consumer and Commercial Division provides interpreter services to support equitable participation in tenancy matters. In 2024, 1,264 interpreter requests were recorded across the Residential Tenancy and Social Housing lists. Of these, 1,113 were for residential tenancy matters and 151 for social housing matters. Interpreter services were most commonly requested for group listings (70%), followed by hearings (29%), with less than 1% requested for directions hearings.

The most frequently requested languages were Mandarin (46%), Arabic (14%), Cantonese (5%), Korean (3%), Farsi (2%), and Hindi (2%). These patterns reflect both the linguistic diversity of NCAT users and the need for language support mechanisms to ensure procedural fairness. Interpreter requests are recorded at the listing level but cannot be linked to individual parties in the dataset, meaning it is not possible to determine whether the applicant, respondent, or another party required language support. Findings from the STEP Study highlight the importance of culturally responsive services, with several participants reporting that language barriers created confusion during hearing preparation. Although translated information is available on the NCAT website, some participants indicated they were unaware of the function/resources or found them difficult to locate or navigate, suggesting gaps in visibility or usability for non-English speakers. As culturally and linguistically diverse renters are overrepresented in housing stress and more likely to be self-represented at the Tribunal, accessible communication—including the availability of interpreters—is a foundational element of people-centred justice.

A full list of interpreter languages requested is provided in Table 13.

Interpreter requests were made in just over 3% of all tenancy applications, suggesting modest recorded demand across the lists. However, the concentration of interpreter used in group listings indicates that language access remains an essential aspect of procedural fairness. The inability to link interpreter use to party role limits further insight, but the data underscores the importance of ensuring accessibility for self-represented and linguistically diverse participants.

Representation

Representation in NCAT's tenancy lists is shaped by tribunal rules that generally require parties to appear for themselves unless granted leave. In practice, most tenants are self-represented, while landlords are frequently represented by real estate agents acting within the scope of their property management role. Under the *Civil and Administrative Tribunal Act 2013 (NSW)*, such agents are given leave to appear, provided they are authorised to manage the tenancy. Formal representation by lawyers or lay advocates requires tribunal approval and remains relatively uncommon. While NCAT does collect data on party representation, these data were not made available to the current study. As a result, we are unable to quantify the prevalence or explore the potential impacts of landlord representation by agents. Future access to this information would support a more comprehensive understanding of representation dynamics in tenancy proceedings.

Tenants may receive support from community legal services or Tenants' Advice and Advocacy Services (TAAS), including duty advocates who may be available on the day of the hearing. However, access to duty advocacy is inconsistent and not guaranteed across all registries or listings. Findings from the STEP Study indicate that while tenants who accessed advocacy support described it as empowering and helpful, particularly during conciliation, most participants had no advocate or support person present. These observations highlight the importance of timely and accessible advocacy services in mitigating power imbalances and enhancing tenants' ability to participate effectively in proceedings.

What Are the Disputes About?

Tenancy applications lodged with NCAT reflect a wide range of housing-related disputes. These include issues such as rent arrears, termination of tenancy agreements, claims for unpaid rent or bond money, and requests for repairs or access. This section explores the nature of disputes as recorded at the time of lodgement, focusing on the types of orders applicants seek and how these vary across the Residential Tenancy and Social Housing lists. Understanding the issues raised at lodgement provides important context for interpreting outcomes and the pathways disputes follow through the Tribunal.

ORDERS SOUGHT

Information on the specific order sought is entered on NCAT's CMS for both the Social Housing and Tenancy lists. Note that the dataset provided lists only the first (or primary) order sought in each application. As a result, additional orders requested as part of the same application, particularly those commonly sought alongside a primary claim, are not captured. For example, a matter recorded as seeking termination of a residential tenancy agreement may have also included a request for a money order for rent arrears. In such cases, the second order is masked by the primary classification. This limitation may result in an underrepresentation of common secondary orders, particularly in applications where multiple remedies are routinely sought.

Among primary orders sought,[10] 53.4% related to termination, either because of non-payment (36.8% of applications) or another reason (16.6% of applications). An additional field in the CMS seeks to capture all cases in which a termination order was sought. Among all cases (n=39,707), 56.4% requested a termination order. This was lower among the Residential list compared to the Social Housing list (52.5% vs 64.9%).

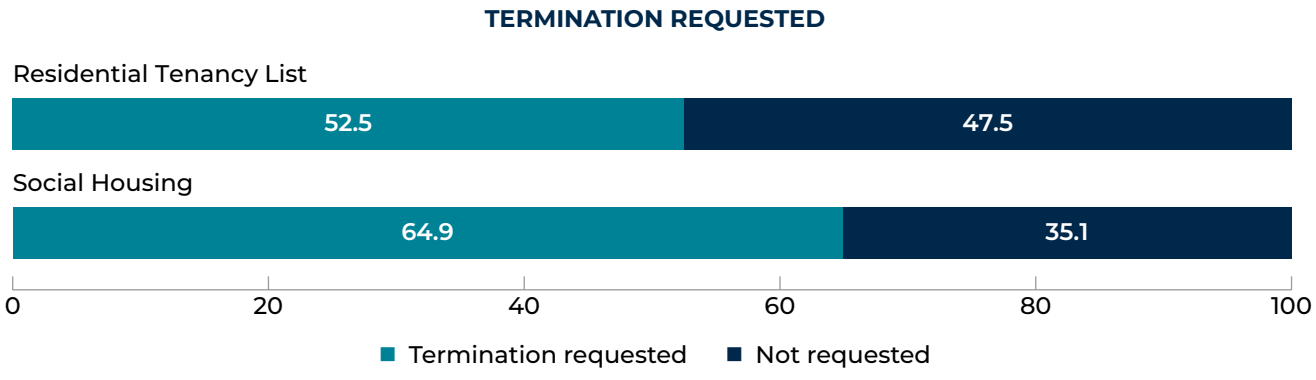
The types of orders sought also varied on the basis of the list, with the Social Housing list more likely to relate to termination (59.2% of Social Housing applications) than the Residential Tenancy list (50.1%).

Table 5: Orders sought by list (n=39,707)

Order	All Housing Applications	Residential Tenancy	Social Housing
Bonds	17.2%	24.4%	1.3%
General Orders	13.2%	8.1%	24.4%
Rent and other payment	12.6%	13.1%	11.6%
Repairs	3.6%	3.7%	3.5%
Termination (non-payment of rent)	36.8%	33.6%	43.8%
Termination (other)	16.6%	17.1%	15.4%

"Orders sought" was missing for 212 applications.

Figure 3: Proportion of application where termination of tenancy was sought



10 Only primary orders sought are reported in the dataset made available.

A decline in termination applications was observed in the Residential Tenancy list—from 61.3% in 2015 to 52.5% in 2024—and may reflect shifting legal, economic, and policy dynamics in the NSW rental market. Recent and proposed legislative reforms have strengthened tenant protections, including moves to limit 'no-grounds' evictions, which may be encouraging landlords to consider alternative pathways such as repayment plans, negotiation, or informal agreements. At the same time, the cost-of-living crisis has increased financial stress for many tenants, and some landlords may be opting to sustain tenancies rather than pursue termination in response to short-term arrears.

Importantly, this trend does not appear to stem from concerns about re-letting or vacancy, as the current tight rental market favours landlords. Instead, the shift may reflect a more complex interplay of regulatory expectations, reputational considerations, and tenancy management practices—particularly in contexts where landlords are institutional or professionally managed. Further qualitative research would help clarify whether these patterns signal a move toward more preventative or negotiated dispute resolution strategies or are influenced by other systemic changes in how tenancy disputes are managed at NCAT.

FINAL ORDERS

Examining final orders provides a valuable lens on the types of disputes brought to NCAT and how they are resolved. While some orders reflect substantive decisions such as termination, financial compensation, or access, others represent procedural outcomes like withdrawal or dismissal. Grouping the nearly 70 distinct final order codes into broader categories allows for clearer interpretation of resolution patterns across tenancy types. [11] These patterns help illustrate the practical use of the Tribunal: whether as a forum for enforcing tenant rights (e.g. access or repairs), managing breaches (e.g. specific performance orders), or resolving claims related to bonds or arrears. Importantly, only the first or primary order is reported for each application, meaning that common outcomes such as termination may be undercounted where they accompany another primary order type.

Patterns in final orders vary substantially between the Residential Tenancy and Social Housing lists, reflecting the different legal, operational, and policy contexts. In the Residential Tenancy list, financial and termination orders were more common, consistent with disputes relating to rent arrears, bond claims, or termination of private rental agreements. In contrast, the Social Housing list was dominated by Specific Performance Orders, accounting for nearly one in three outcomes. This demonstrates the emphasis placed on sustaining tenancies, as per the purpose of social housing, through remedial compliance rather than immediate eviction.

11 See Technical Notes section for full justification and reasoning for grouping of final orders. The full list of final orders from NCAT's CMS can be found in Table 16 of the Technical Notes.

Orders relating to access and repairs were also more frequent in social housing matters, which may reflect tenants' reliance on the Tribunal to address maintenance issues or more complex housing needs. Conversely, rental bond disputes—common in the private sector—were almost absent from the social housing list, given different end-of-tenancy processes.

The high proportion of dismissals and withdrawals across both lists suggests that a significant number of applications are resolved before the Tribunal is required to determine the issues in dispute. This resolution occurs through settlement, procedural closure, or applicant withdrawal. This highlights the Tribunal's role not only as a decision-making body, but also as a site of negotiation and informal resolution. The dataset provided includes limited information about the reasons or circumstances of these outcomes, so it is not possible to distinguish between matters resolved privately and those withdrawn due to barriers to participation.

Table 6: Final Orders (n=39,707)

Final Order Groups	All Housing Applications	Residential Tenancy	Social Housing
Dismissal/Withdrawal	33.8%	37.9%	24.7%
Financial/Monetary (excl. rental bonds)	23.4%	15.5%	7.8%
Termination	15.2%	18.8%	7.5%
Specific Performance	12.6%	4.9%	29.4%
Rental Bonds	7.0%	6.7%	0.2%
Access/Repair	3.5%	0.8%	9.3%
Set Aside/Reinstatement	2.6%	2.9%	2.0%
Party Agreements	1.2%	1.2%	1.3%
Other	0.6%	0.8%	0.1%
Procedural	0.2%	0.2%	0.2%

SOUGHT VS FINAL ORDERS

Due to data limitations, it was not possible to conduct a meaningful comparison between orders sought and orders made. The dataset includes only the primary order sought and the primary final order recorded for each application. Additional orders, particularly those commonly made alongside a primary remedy, are not included. This means that a request for termination and rent arrears, for example, would only appear in the data under one of those categories. As a result, any attempt to match or compare the frequency or alignment of orders sought and orders made would be incomplete and potentially misleading.

How Applications Progress to Finalisation

Applications in the Tenancy Lists progress through a series of procedural and substantive steps, which can be tracked using listing and order data recorded in NCAT's Case Management System (CMS). Each application may involve multiple events—from conciliation and directions hearings to final determinations—and these steps are reflected in the types of orders recorded along the way.

In NCAT's CMS, all orders entered by a Tribunal Member are recorded as 'final orders', regardless of whether they resolve the substantive issue or not. This includes both procedural orders (such as set aside; or reinstatement) and substantive orders that determine the outcome of the dispute (such as termination, money orders, or access).

Orders are typically entered directly into the CMS by the Member at the time of the hearing. This method helps reduce transcription errors and provides parties with timely access to the Tribunal's decision.

As shown in Table 6, approximately one in three applications (33.8%) in the Tenancy Lists were finalised by dismissal or withdrawal. This proportion was higher in the Residential Tenancy list (37.9%) compared to the Social Housing list (24.7%). These figures highlight the diversity of application outcomes and the multiple procedural pathways through which matters may resolve or conclude.

Because all orders—procedural and substantive—are recorded in the CMS as 'final orders,' interpreting order data requires careful attention to context. Many applications conclude with procedural outcomes that do not resolve the underlying dispute, while others proceed through multiple final orders before substantive resolution is achieved. This highlights the need for caution when equating final orders with dispute resolution.

TIMELINESS OF LISTINGS AND FINALISATION

The NSW Civil and Administrative Tribunal (NCAT) has established service standards for resolving cases within its Consumer and Commercial Division, which includes tenancy and social housing applications. According to the NCAT Annual Report 2023-2024, the Tribunal aims to resolve 80% of cases within specific timeframes from the date of lodgement to finalisation.[12] For the Tenancy List and Social Housing List, the service standard to resolve cases is four weeks for termination cases, and eight weeks for non-termination cases. These targets are set to ensure timely and efficient resolution of disputes, enhancing the effectiveness and fairness of NCAT's processes.

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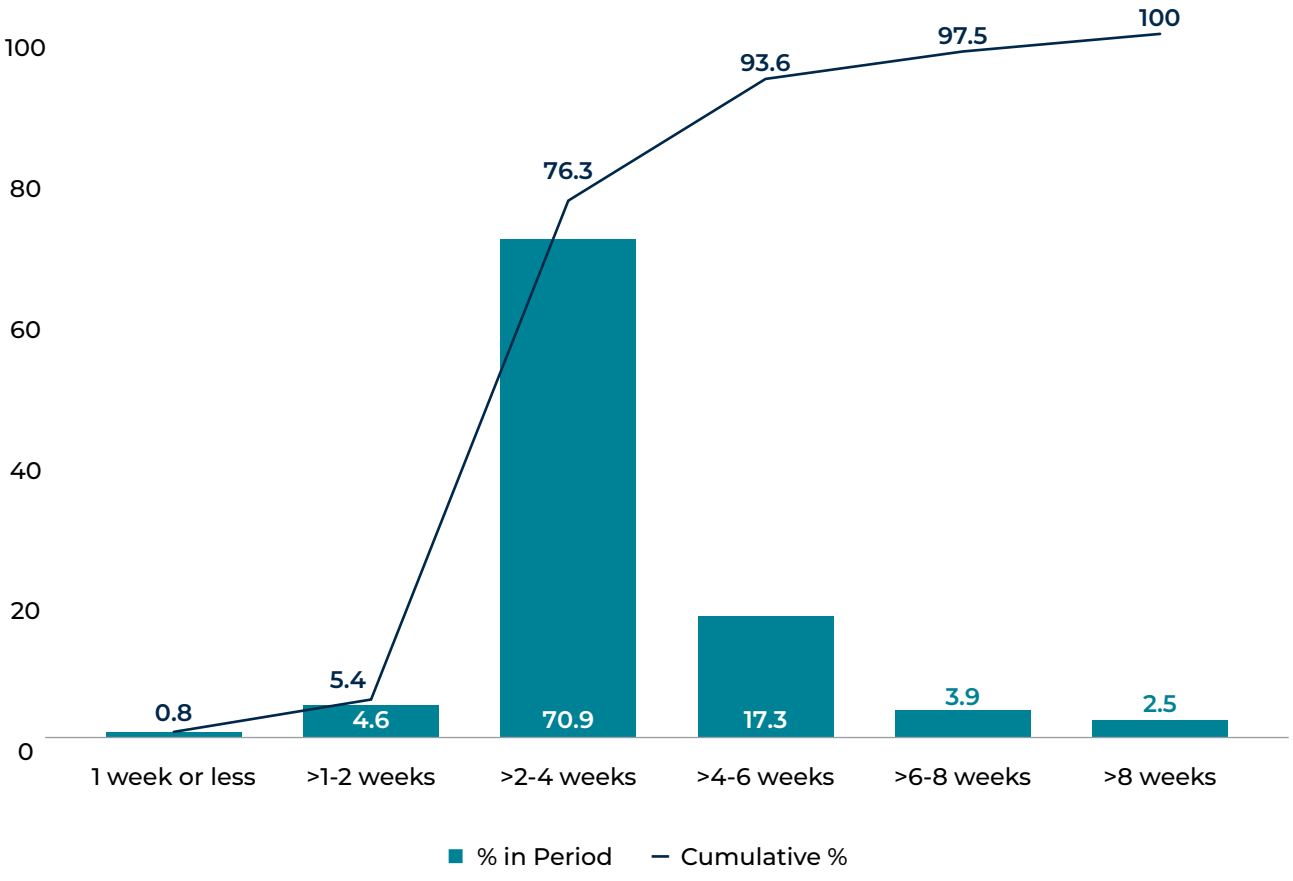
Estimating time to finalisation for tenancy disputes is complicated by the procedural structure of NCAT's administrative data. Each application is treated as a single 'application', but a single dispute may involve multiple procedural events, each recorded with its own 'final order' status. For example, an initial listing might result in a reinstatement, or an order to stay or set aside a previous decision. These procedural steps are logged as finalised applications in the system, even though the substantive dispute—for instance, relating to rent arrears, repairs, or termination—remains unresolved. When the application returns for further hearing, additional final orders may be recorded. As a result, a single dispute can generate multiple finalisation records, which may not accurately reflect the full resolution timeline for the underlying issue. This presents challenges for interpreting administrative data on time to finalisation, as standard duration metrics may misrepresent both the number of discrete disputes and the time taken to resolve them substantively.

TIME FROM LODGEMENT TO FIRST LISTING

Of the 39,707 tenancy applications analysed, 85% (n=33,774) had at least one listing recorded. Among those, more than two-thirds (76.3%) were listed for a hearing within four weeks, and 93.6% within six weeks of lodgement. When disaggregated by list types, 78.8% of Residential Tenancy applications were listed within four weeks and 94.8% within six weeks, compared to 71% of Social Housing applications within four weeks and 91.2% within six weeks. This suggests that while most applications proceed relatively quickly to hearing, social housing disputes may experience slightly longer wait times. These delays could reflect administrative processes related to the more complex or urgent nature of issues typically raised in the social housing list.

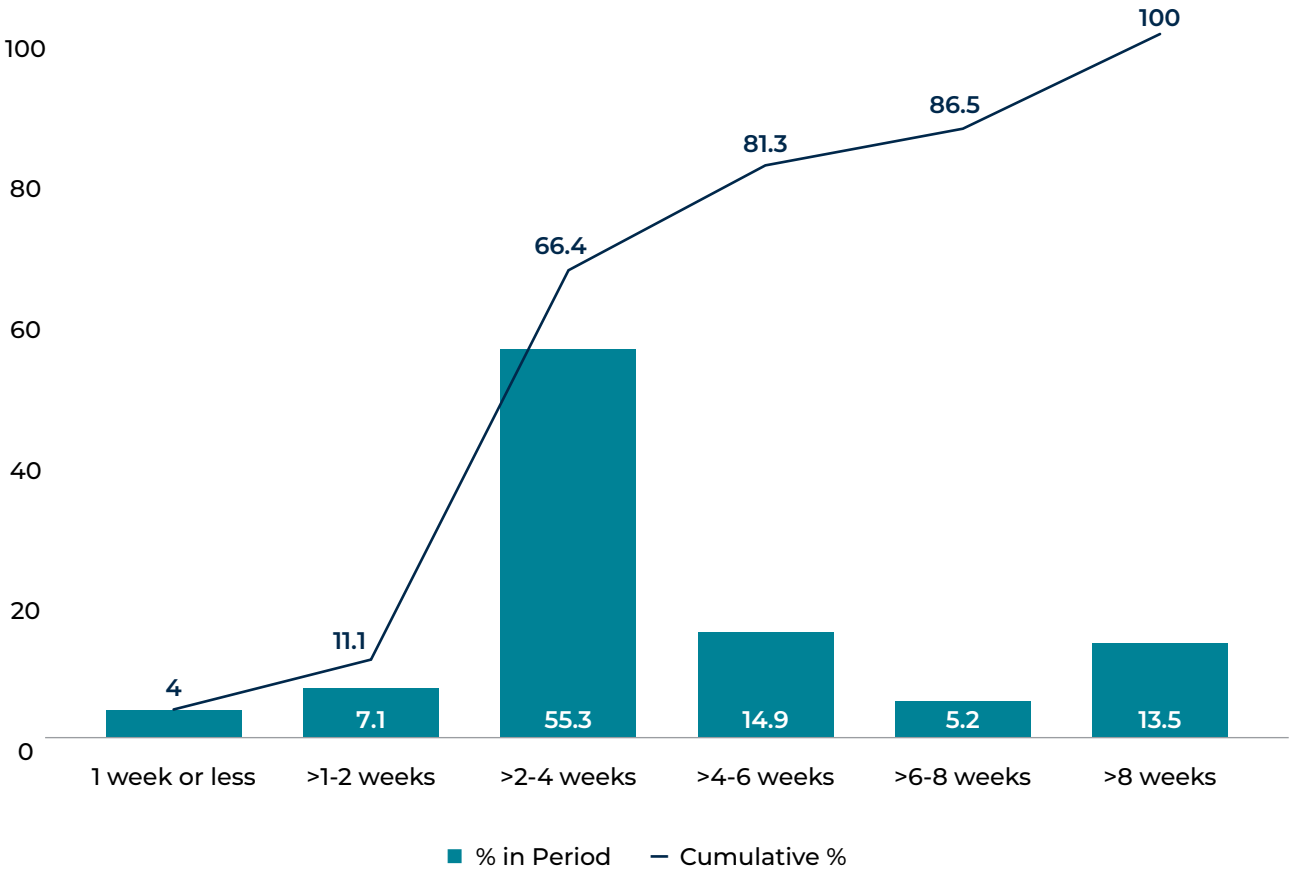
Figure 4: Time from lodgement to first listing of applications (n=33,774)



TIME FROM LODGEMENT TO FINALISATION

All applications in the dataset had a finalisation date recorded, enabling calculation of time from lodgement to the making of a final order. Overall, 66.4% of applications were finalised within four weeks, and 81.3% were finalised within six weeks. Median time to finalisation was 21 days for Residential Tenancy applications, and 22 days for Social Housing applications. These findings indicate that the majority of applications are finalised within the service standard targets. However, a subset of matters extends beyond the typical timeframe, likely due to procedural complexity, adjournments, party non-attendance, or capacity constraints in tribunal listings.

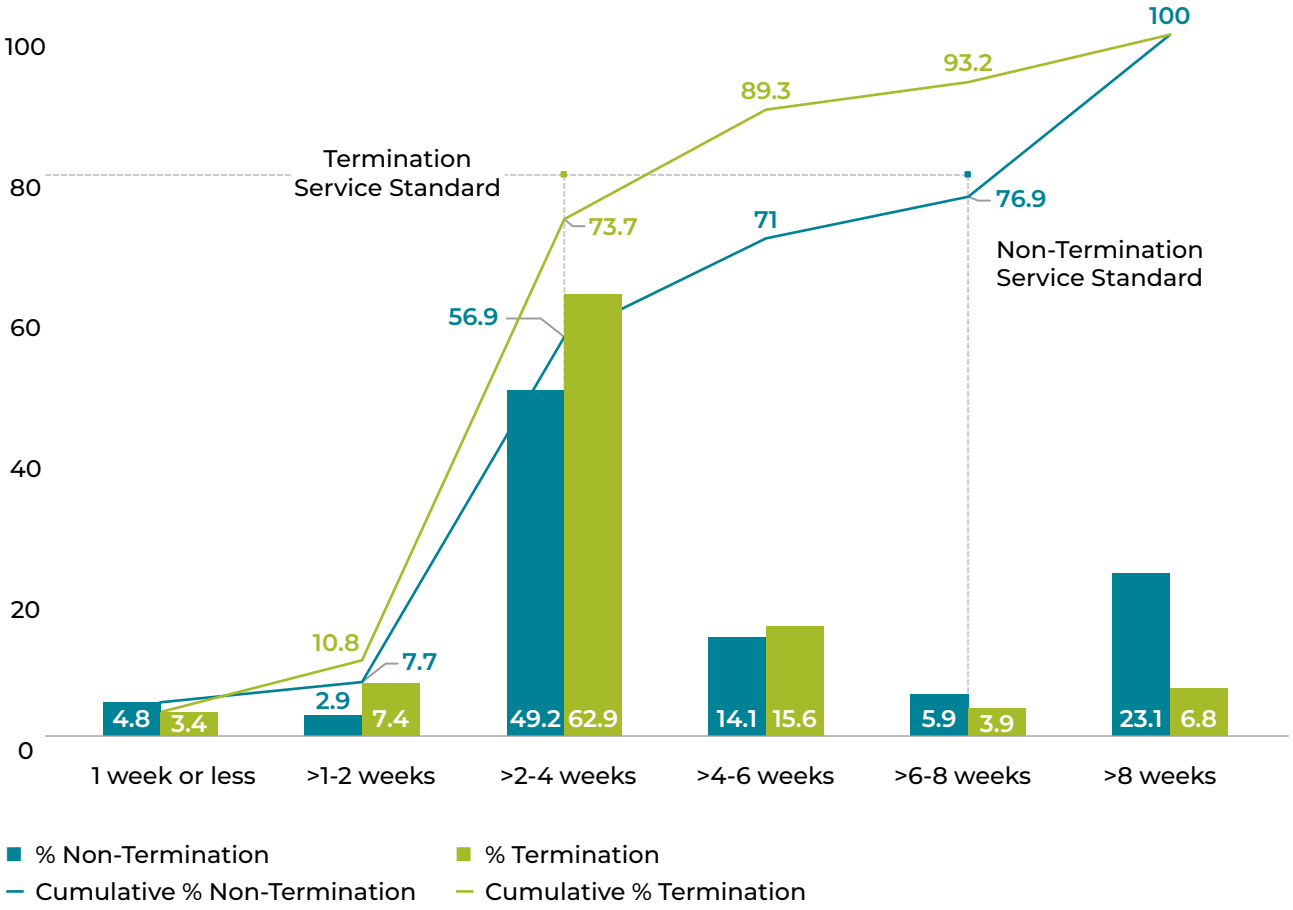
Figure 5: Time from lodgement to finalisation of applications (n=39,707)



TERMINATION VS NON-TERMINATION ORDERS

NCAT's service standards set different benchmarks depending on whether a termination order is sought. The Tribunal aims to finalise 80% of termination matters within four weeks, and 80% of non-termination matters within eight weeks. In this dataset, 73.7% of applications seeking termination were finalised within four weeks, closely aligning with service targets. Similarly. 76.9% of non-termination matters were finalised within the benchmark of eight weeks. These figures suggest that while NCAT largely meets its timeliness targets for termination matters, there may be more variability in the resolution of non-termination disputes, potentially reflecting greater diversity in issues raised or differences in procedural steps required.

Figure 6: Termination vs Non-termination finalisation times (n=39,707)



TIME TO FINALISATION BY FINAL ORDER TYPE

Dismissed applications were finalised slightly more quickly than those resulting in substantive outcomes. More than two-thirds (68.1%) of dismissed applications were finalised within four weeks and 82.3% within six weeks, compared to 65.5% of non-dismissed applications at four weeks and 84.6% at six weeks. This may reflect procedural issues such as non-attendance or procedural failure, which can result in faster finalisation without the need for a full hearing or evidentiary consideration.

Although NCAT meets its timeliness benchmarks in most tenancy matters, resolution timeframes vary based on the type and complexity of the application. Termination matters tend to follow more structured timelines, while non-termination disputes exhibit greater variability. A small number of applications resulting in reinstatements, or set-aside decisions—often used to manage the flow of cases—are recorded as final orders in the dataset. This means that standard duration metrics capture the closure of an application but may not reflect the full duration required to resolve the underlying tenancy issue. As such, Tribunal performance data may differ from how users experience the resolution of their dispute, particularly when multiple applications are lodged in relation to the same matter.

Resolution Pathways

Understanding how tenancy matters are resolved at NCAT provides important context beyond application processing and timeliness. While some matters are finalised through early resolution, such as withdrawal, consent orders, or administrative closure, others proceed to a contested hearing and adjudication. This section explores the different pathways tenancy disputes may follow, including conciliation, consent outcomes, and contested hearings. In doing so, it draws on both application-level and case-level analysis to examine not just how long matters take, but how they are experienced and resolved across different types of proceedings.

CONCILIATION

NCAT encourages parties in the CCD to resolve tenancy disputes through conciliation, with consent orders issued when both parties reach an agreement and request that the Tribunal formalise it. Across the tenancy lists, 25.7% of all applications were finalised by consent. This rate was consistent across list types, with 26.2% of Residential Tenancy applications and 24.6% of Social Housing applications resolved in this way.

Approximately one in four finalised applications resulted in consent orders, highlighting their significance as a resolution pathway. Consent orders were particularly common in social housing matters involving Specific Performance Orders, reflecting a resolution mechanism commonly used by social housing providers to support tenancy sustainment.

Table 7: Finalised by consent (n=39,707)

Finalisation type	All Housing Applications	Residential Tenancy	Social Housing
Finalised by consent	25.7%	26.2%	24.6%
Finalised not by consent	74.3%	73.8%	75.4%

Despite being considered a more efficient alternative to formal hearings, consent applications did not resolve more quickly on average. The median time to finalisation was 21 days for both consent and non-consent outcomes. This suggests that while consent resolutions may reduce procedural complexity, they do not necessarily accelerate overall timeframes.

Consent orders represent an important mechanism for cooperative dispute resolution and procedural efficiency. However, their contribution to perceived fairness may vary depending on the context in which they are reached. For instance, in situations where there is a significant power imbalance or where the respondent is absent, the consensual nature of the outcome may warrant closer scrutiny.

Consent orders account for one in four tenancy matters and provide a key pathway for cooperative resolution, particularly in social housing cases. However, they do not necessarily shorten time to finalisation, and their fairness may depend on the circumstances in which agreement is reached.

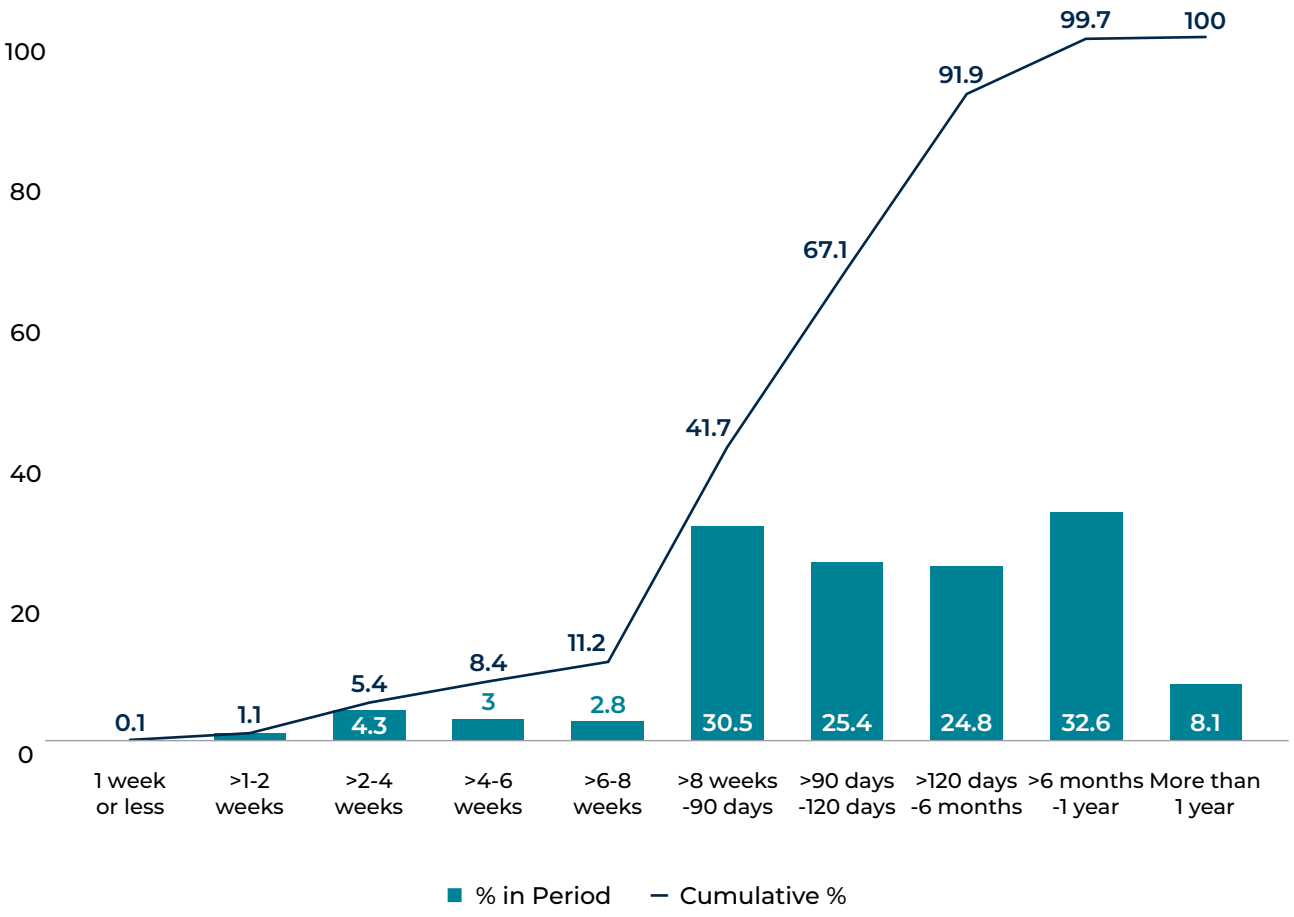
CONTESTED VS NON-CONTESTED APPLICATIONS

To explore how frequently tenancy disputes escalate to a contested hearing and how this affects resolution time, a case-level analysis was undertaken. Unlike earlier sections based on individual applications, this analysis groups applications into distinct cases to approximate individual disputes. This approach provides a broader view of how matters progress through NCAT, particularly when multiple applications or procedural events are involved in resolving a single tenancy issue.

Of the 38,408 cases analysed, 38,233 had at least one listing recorded. Among these, 3,875 cases (approximately 10%) involved at least one contested hearing, while the remaining 34,358 proceeded without a contested hearing.

Duration analysis revealed a substantial difference in time to finalisation depending on whether a contested hearing occurred. Cases without a contested hearing had a median resolution time of 21 days, while those involving a contested hearing had a median duration of 101 days. This fivefold increase highlights the additional procedural and resource burden associated with more complex disputes. While only a minority of cases escalate to a contested hearing, they contribute disproportionately to overall tribunal workload and timelines.

Figure 7: Time from lodgement to finalisation for contested applications (n=3,875)



However, it is important to interpret contested hearing data with caution. Some cases that do not have a separately listed contested hearing may still involve evidentiary consideration. Where conciliation is attempted but no agreement is reached, NCAT may, on occasion, proceed directly to a hearing on the same day. In these instances, the hearing is not recorded as a separate listing and is therefore not captured in contested hearing counts.

As a result, the data on contested hearings reflect only a subset of matters, specifically those where a hearing could not be conducted on the same day as conciliation. The need to adjourn to a separate hearing date may arise from case complexity, the need to gather further evidence, or practical constraints such as registry size and the Member's capacity to complete a hearing within the sitting day. Longer timeframes for these matters are therefore expected.

Although many parties do not reach agreement at conciliation, the majority of matters are still resolved promptly. In total, 49.8% of tenancy cases are finalised on the same day as conciliation, even without agreement. Only 13.9% of applications proceed to a separately listed formal hearing at a later date. This highlights that, even in the absence of resolution through conciliation, most tenancy matters do not require extensive hearing processes.

While only around 10% of cases escalate to a contested hearing, these applications are significantly more time-intensive. A contested hearing increases median resolution time nearly fivefold, indicating higher procedural and resource burden.

Enforcement and Post-Hearing Action

While NCAT issues enforceable orders, it does not oversee or directly manage their enforcement. Once an order is made, such as for termination, compensation, or repairs, it becomes the responsibility of the successful party to take further action if the order is not complied with. In many cases, this requires initiating a separate enforcement process through the Local Court system or NSW Sheriff's Office.

For example, where a termination order is made and the tenant does not vacate, landlords must apply for a warrant for possession. Similarly, tenants awarded compensation or works orders must pursue civil enforcement if landlords do not comply voluntarily. These processes can introduce delay, complexity, and additional costs, particularly for those unfamiliar with legal procedures. This also leads to additional strain on the legal system.

Analysis of linked warrant and finalisation data indicates that enforcement steps are relatively common following termination orders. Of the 4,941 termination orders identified, 3,358 were followed by a warrant for possession—an estimated 68% overall. This figure was markedly higher in the Social Housing list, where 99.1% of termination orders were followed by a warrant request, compared to 68.0% in the Residential Tenancy list.

Importantly, this is a two-step process. NCAT does not issue a warrant at the time of the hearing. Instead, the applicant must return to the Tribunal after the date of possession has passed to formally request a warrant. Warrant applications must be made within 30 days of the possession date. This requirement introduces a built-in delay between the making of a termination order and any enforcement action—particularly in cases where possession is delayed giving the tenant time to vacate voluntarily. The necessity of a second step also places an administrative burden on the applicant and may result in non-enforcement where parties disengage or where the tenant vacates as ordered. Further, while a request for a warrant does not carry an additional fee at NCAT, the Sheriff's Office requires a fee to execute a warrant.

In social housing matters, this high rate of warrant lodgement may reflect internal tenancy management practices rather than contested enforcement. Housing providers may lodge warrants as a procedural step to ensure compliance with policy or to establish administrative certainty, even where tenants vacate voluntarily.

The current warrant dataset relates only to warrants for possession and does not include information on other forms of enforcement that may be pursued following financial or works-related orders. It is unclear whether other types of warrants are routinely issued in tenancy matters or simply not captured in the tenancy-specific data extract. However, the successful linking of warrant and finalisation data in this study provides a template for future examination of the timing and outcomes of enforcement in greater detail.

Finalisation in NCAT's administrative data marks the conclusion of an application, but not necessarily the completed resolution of the dispute. In cases where orders are not complied with, parties must pursue enforcement through separate legal processes—most commonly via the Local Court or Sheriff's Office. Warrant requests for possession are a distinct and deliberate step following termination orders.

Discussion and Next Steps

This analysis provides a detailed procedural view of tenancy disputes at NCAT, drawing on administrative data from 39,707 applications finalised in 2024. The findings offer strong evidence that NCAT is meeting its service benchmarks in most matters, particularly those involving termination, but also reveal the complexity and variability that characterise dispute resolution in practice.

Across both the Residential Tenancy and Social Housing lists, the data shows that most applications are finalised relatively quickly—typically within three weeks. However, a closer examination of progression pathways reveals that finalisation does not always equate to substantive resolution. Many applications are closed due to procedural reasons or party withdrawal, while others involve multiple steps and orders before a matter is fully resolved. The high rate of warrant requests following termination orders, particularly in social housing, highlights the distinct enforcement burdens that arise even after an order is made.

The STEP Study findings complement this analysis by providing insights into the experiences of tenants. Many participants described confusion about the process, uncertainty about their rights, and a sense of disempowerment during conciliation or hearings. These findings underscore the importance of accessible information, procedural clarity, and post-order support—elements not captured in administrative data but essential for fairness.

Several areas remain beyond the scope of this report but warrant further exploration:

- **Repeat use and re-engagement:** While the data captures standalone applications, it does not track whether the same parties or disputes return to NCAT multiple times. Identifying patterns of repeat use could highlight persistent issues or gaps in tenancy management.
- **Party outcomes and equity:** The data does not currently allow us to assess whether landlords or tenants are more likely to succeed in applications, or whether outcomes differ based on representation or list type.
- **User perspectives and procedural fairness:** Quantitative analysis of listings and orders offers insight into what happens, but not how parties experience the process. Findings from the STEP Study suggest that a party's experience is shaped by their expectations, information access, and perceived voice in the process.
- **System-wide responsiveness:** As rental reforms continue to reshape tenancy law in NSW, it will be important to track how changes, such as restrictions on no-grounds evictions, affect the volume and nature of NCAT applications.

This report provides a foundation for ongoing monitoring and reform. By combining administrative insights with user experience research, there is a unique opportunity to design tenancy dispute resolution systems that are not only efficient and effective, but also accessible, navigable, and fair.

Technical Notes and Tables

Final orders

To support meaningful analysis and interpretation, final orders were grouped into a smaller number of categories based on their substantive effect and procedural function. The administrative dataset includes nearly 70 distinct final order codes, many of which are low-frequency or reflect internal procedural outcomes rather than dispute resolution. Grouping enables clearer reporting of trends and outcomes while preserving the ability to distinguish between key decision types such as termination, specific performance, monetary or financial orders, and dismissals. Categories were informed by both NCAT's order definitions and policy relevance to tenancy outcomes. A full list of order types and groupings is provided below in Table 8.

Table 8: Final Order Groupings

Group	Final order codes included	Justification for grouping
Termination orders	Termination, Tenancy – termination by events, retaliatory eviction, Suspension of possession, Date for possession, Termination tenant, Abandonment	Indicates end of tenancy – crucial for tracking loss of housing
Specific performance	Specific performance	Key social housing mechanism
Monetary / Financial orders	Tenancy money order, Rental bonds, Money – to be paid, Occupation fee, Excessive rent, General orders – money, General orders - compensation, Costs agreed or assessed/dismissed/timetable	Financial liability imposed or determined
Dismissals	Dismissal, Dismissal – Withdrawn, Failure of applicant to appear, After hearing, For want of prosecution, Frivolous/vexatious/lacking substance, Oral reasons, No jurisdiction	Indicates applications closed without substantive hearing or resolution
Withdrawals	Set aside – withdrawn, Reinstatement – withdrawn	Applications that exited the process voluntarily or without ruling
Party agreements	Settled – dismissed, Settled – consent orders, Written consent orders from parties	Agreements formalised through mutual consent
Access / Repair orders	Access, Work order, Property – repairs, renovations, alterations and additions to premises	Relates to conditions and safety of tenancy
	1.2%	1.2%
Set aside / Reinstatement	Set aside – granted/refused, Reinstatement – granted/refused, Relist	Procedural orders that re-open or revisit earlier decisions

Group	Final order codes included	Justification for grouping
Procedural / Administrative	Direction, Amendment to order, Extension of time for lodgement, Application rejected, Transfer to a court, Federal jurisdiction settled/not settled, Application to inspect public access documents, to advise the tenant	Tribunal operations and case management – useful for understanding process flow
Other	General orders (unspecified), Determination, Federal jurisdiction (settled or not), transfer to court, bankruptcy, uncollected goods, residential tenancy agreements, residential database, change of tenant and landlord	Low-frequency, miscellaneous, or outside core tenancy jurisdiction – grouped for traceability

Table 9: Finalised Order (all order codes)

	All Housing N	%	Residential List N	%	Social Housing N	%
Dismissal	**13403**	**33.8**	**10317**	**37.9**	**3086**	**24.7**
Dismissal - withdrawn >	8355	21%	6041	15.2%	2314	5.8%
Dismissal - after hearing >not able to	547	1.4%	459	1.2%	88	0.2%
Dismissal - failure of applicant to appear >	3922	9.9%	3326	8.4%	596	1.5%
Dismissal >	400	1.0%	361	0.9%	39	0.1%
Dismissal - no fee>	101	0.3%	63	0.2%	38	0.1%
Dismissal - frivolous, vexatious, misconceived or lacking in substance >	39	0.10%	36	0.1%	3	0.0%
Dismissal - for want of prosecution >	37	0.10%	29	0.1%	8	0.0%
Dismissal - no Jurisdiction >	1	0.0%	1	0.0%	0	0.0%
Dismissal - Oral reasons given >	1	0.0%	1	0.0%	0	0.0%
Monetary / Financial Orders	**12037**	**30.3%**	**8839**	**32.5%**	**3198**	**25.6%**
Tenancy Money Order >	7305	18.4%	4712	11.9%	2593	6.5%
Money - to be paid >	1746	4.4%	1257	3.2%	489	1.2%
Rental bonds >	2765	7.0%	2678	6.7%	87	0.2%
Excessive rent >	172	0.4%	151	0.4%	21	0.1%
General orders - money >	18	0.0%	17	0.0%	1	0.0%
Occupation fee >	9	0.0%	7	0.0%	2	0.0%
Costs - dismissed >	8	0.0%	5	0.0%	3	0.0%
Costs - agreed or assessed >	6	0.0%	5	0.0%	1	0.0%
Costs - timetable >	4	0.0%	4	0.0%	0	0.0%
Money - not owing >	3	0.0%	2	0.0%	1	0.0%
General orders - compensation >	1	0.0%	1	0.0%	0	0.0%

	All Housing N	%	Residential List N	%	Social Housing N	%
Termination Orders	**6050**	**15.2%**	**5115**	**18.8%**	**935**	**7.5%**
Termination >	4757	12.0%	4091	10.3%	666	1.7%
Date for possession >	993	2.5%	881	2.2%	112	0.3%
Abandonment >	81	0.2%	50	0.1%	31	0.1%
Termination retaliatory eviction >	24	0.1%	22	0.1%	2	0.0%
Tenancy - termination by events >	164	0.4%	46	0.1%	118	0.3%
Tenancy - termination tenant >	20	0.1%	18	0.0%	2	0.0%
Suspension of possession >	11	0.0%	7	0.0%	4	0.0%
Specific performance >	**4984**	**12.6%**	**1321**	**3.3%**	**3663**	**9.2%**
Set Aside / Reinstatement	**1044**	**2.6%**	**799**	**2.9%**	**245**	**2.0%**
Set Aside - granted >	416	1.0%	291	0.7%	125	0.3%
Reinstatement - granted >	260	0.7%	215	0.5%	45	0.1%
Set Aside - refused >	235	0.6%	200	0.5%	35	0.1%
Reinstatement - refused	86	0.2%	74	0.2%	12	0.0%
Relist >	47	0.1%	19	0.0%	28	0.1%
Access / Repair	**1384**	**3.5%**	**227**	**0.8%**	**1157**	**9.3%**
Access >	1080	2.7%	96	0.2%	984	2.5%
Work order >	282	0.7%	114	0.3%	168	0.4%
Property - repairs, cosmetic work and minor renovation s126 & s127 SSMA >	20	0.1%	16	0.0%	4	0.0%
Alterations and additions to premises >	2	0.0%	1	0.0%	1	0.0%
Withdrawals	**5**	**0.0%**	**5**	**0.0%**	**0**	**0.0%**
Set Aside - withdrawn	3	0.0%	3	0.0%	0	0.0%
Reinstatement - withdrawn	2	0.0%	2	0.0%	0	0.0%
Party Agreements	**475**	**1.2%**	**318**	**1.2%**	**157**	**1.3%**

	All Housing N	%	Residential List N	%	Social Housing N	%
Written consent orders from parties > agreed parties (consent orders)	428	1.1%	285	0.7%	143	0.4%
Settled - Dismissed >	3	0.0%	3	0.0%	0	0.0%
Settled - Consent Orders > (settled by consent)	44	0.1%	30	0.1%	14	0.0%
Procedural / Administrative	**87**	**0.2%**	**67**	**0.2%**	**20**	**0.2%**
Amendment to order >	46	0.1%	35	0.1%	11	0.0%
To advise the tenant >	13	0.0%	7	0.0%	6	0.0%
Extension of time for lodgement - refused >	12	0.0%	11	0.0%	1	0.0%
Application to Inspect Public Access Documents - Granted >	11	0.0%	9	0.0%	2	0.0%
Application Rejected >	2	0.0%	2	0.0%	0	0.0%
Direction >	2	0.0%	2	0.0%	0	0.0%
Application to Inspect Public Access Documents - Refused >	1	0.0%	1	0.0%	0	0.0%
Other	**238**	**0.6%**	**224**	**0.8%**	**14**	**0.1%**
Federal jurisdiction not settled >	126	0.3%	125	0.3%	1	0.0%
Federal jurisdiction settled >	24	0.1%	23	0.1%	1	0.0%
General orders – unspecified >	28	0.1%	19	0.0%	9	0.0%
Transfer to a Court >	24	0.1%	23	0.1%	1	0.0%
Residential tenancy database >	10	0.0%	10	0.0%	0	0.0%
Change of tenant and landlord >	10	0.0%	9	0.0%	1	0.0%
Uncollected goods >	5	0.0%	5	0.0%	0	0.0%
Determination >	8	0.0%	7	0.0%	1	0.0%
Residential tenancy agreements >	2	0.0%	2	0.0%	0	0.0%
Bankruptcy >	1	0.0%	1	0.0%	0	0.0%

Data from CMS

Data was provided for all applications finalised, by whatever means, during 2024. The fields provided for analysis are shown in Table 10. *Proceeding number* is the linking field that allows information about listings, lodgements, fees, and warrants to be attached to information about each finalised application. We recognise that this does not capture all the fields of data held in the CMS and that there may be additional information of value that could also be extracted.

Table 10: Data tables and field names provided from CMS

Finalisations	Listings	Lodgements	Fees	Warrants	Interpreter Requests
PROCEEDING NUMBER	PROCEEDING NUMBER	PROCEEDING NUMBER	PROCEEDING NUMBER	CASE NUMBER	PROCEEDING NUMBER
CASE NUMBER	LISTING TYPE	CASE NUMBER	CREATION DATE	PROCEEDING NUMBER	JURISDICTION
LIFE NUMBER	LISTING ID	LIFE NUMBER	CASE TITLE	DATE FORM FILED	LIST TYPE
LEGACY NUMBER	SITTING DATE	LEGACY NUMBER	LIST TYPE DESCRIPTION	CASE TITLE	LISTING ID
LIFE START CREATE DATE	SITTING LOCATION	LIFE START CREATE DATE	ENTITY TYPE	LIST TYPE	SITTING DATE
LIFE START DATE	CURRENT JURISDICTION	LIFE START DATE	DESCRIPTION	CLASSIFICATION/NOA	SITTING TYPE
LIFE LODGEMENT CATEGORY	JURISDICTION DESCRIPTION	LIFE LODGEMENT CATEGORY	DEBT AMOUNT	FORM FILED	
LIFE LODGEMENT REGISTRY	NCAT REGION	LIFE LODGEMENT REGISTRY	DEBT STATUS	LODGMENT CHANNEL	
LIFE END DATE	ORIGINAL DURATION	LODGMENT CHANNEL CODE		REGISTRY	
LIFE END CREATE DATE	LISTING DURATION QUALIFIER	PROCEEDING TITLE			
PROCEEDING TITLE		APPLICANTS			
APPLICANT		PROCEEDING NUMBER			
APPLICANT TYPE		CASE NUMBER			
APPLICANT TYPE OTHER		LIFE NUMBER			
RESPONDENTS		APPLICANT			
FIRST LISTING DATE		APPLICANT TYPE			
NUMBER OF LISTINGS		APPLICANT TYPE OTHER			
JURISDICTION		RESPONDENTS			

Finalisations	Listings	Lodgements	Fees	Warrants	Interpreter Requests
LOCATION		FIRST LISTING DATE			
PROCEEDING STATUS TODAY		JURSIDICTION			
PROCEEDING STATUS DATE		LOCATION			
LIST TYPE		PROCEEDING STATUS TODAY			
REPORTING GROUP		PROCEEDING STATUS DATE			
NATURE OF CLAIM		LIST TYPE			
FINALISED ORDER		REPORTING GROUP			
FINALISED DATE		NATURE OF CLAIM			
PARTY/ATTENDANCE		PLACE OF DISPUTE			
FINALISED BY CONSENT		CONCESSION CARD Y/N			
MEMBER FINALISING		TERMINATION Y/N			
PLACE OF DISPUTE		RENTAL BOND Y/N			
CONCESSION CARD Y/N		ORDERS SOUGHT			
TERMINATION Y/N		ORDERS SOUGHT DESCRIPTION			
RENTAL BOND Y/N		ORDER REQUESTED REASON			
ORDERS SOUGHT		MEDIATION ATTEMPTED Y/N			
ORDERS SOUGHT DESCRIPTION		LISTING LOCATION			
ORDER REQUESTED REASON		FINALISED DATE			
MEDIATION ATTEMPTED Y/N		FINALISED ORDER			

Detailed Geographic Distributions of Applications

Table 11 and Table 12 present the 20 postcodes with the highest and lowest postcodes by tenancy application rate within Greater Sydney. These are shown separately from statewide data to improve interpretability. In locations with a relatively small number of rental dwellings, even a small number of applications can produce disproportionately high dispute rates when expressed per 1,000 rentals. By focusing on Greater Sydney, where rental volumes are generally larger and more consistent, we reduce the volatility introduced by small denominators and support more meaningful comparisons across locations.

This analysis demonstrates the potential value of administrative data for identifying patterns in tribunal usage and demand for tenancy dispute resolution services. Understanding where tenancy applications are concentrated, and where they relatively rate, can help inform resource planning, and future investigation into geographic variations in access to justice.

Table 11: The 20 postcodes with highest rates of applications (Greater Sydney Area)

Postcode	Indicative locality	Count of Rental Dwellings in Census	Number of Applications	Applications per 1000 dwellings	SEIFA Decile
2175	HORSLEY PARK	89	22	247.19101	7
2563	MENANGLE PARK	44	7	159.09091	5
2179	AUSTRAL	1258	169	134.34022	7
2559	BLAIRMOUNT	553	72	130.19891	1
2556	BRADFIELD	146	19	130.13699	7
2765	ANGUS	3228	335	103.77943	9
2564	GLENQUARIE	1976	192	97.16599	1
2760	COLYTON	5375	496	92.27907	2
2177	BONNYRIGG	1656	147	88.76812	1
2168	ASHCROFT	5142	454	88.29249	1
2770	BIDWILL	9317	806	86.50853	1
2560	AIRDS	9976	778	77.98717	2
2174	EDMONDSON PARK	1074	83	77.28119	8
2163	CARRAMAR	1717	132	76.87828	1
2565	BARDIA	2843	217	76.32782	6
2178	CECIL PARK	225	17	75.55556	6
2198	GEORGES HALL	526	39	74.14449	5
2170	CASULA	14748	1056	71.60293	1
2762	SCHOFIELDS	2202	151	68.57402	9
2196	PUNCHBOWL	3566	244	68.42400	1

Lower rates of tenancy dispute applications in some locations may reflect greater housing stability, access to private dispute resolution options, or higher levels of tenant and landlord capability to resolve issues informally. In higher socio-economic areas, tenants and landlords may be better resourced to negotiate directly or seek private legal advice, reducing reliance on the Tribunal. However, low rates do not necessarily mean an absence of issues, and differences in system access or reporting may also play a role.

Table 12: The 20 postcodes with lowest rates of applications (Greater Sydney Area)

Postcode	Indicative locality	Count of Rental Dwellings in Census	Number of Applications	Applications per 1000 dwellings	SEIFA Decile
2081	BEROWRA	209	2	9.569378	10
2101	ELANORA HEIGHTS	2018	26	12.884044	9
2090	CREMORNE	2807	39	13.893837	10
2214	MILPERRA	142	2	14.084507	8
2103	MONA VALE	879	13	14.789534	9
2097	COLLAROY	1222	19	15.548281	10
2084	AKUNA BAY	189	3	15.873016	10
2089	KURRABA POINT	2831	48	16.955140	10
2072	GORDON	1143	20	17.497813	9
2031	CLOVELLY	6690	118	17.638266	10
2094	FAIRLIGHT	843	15	17.793594	10
2233	ENGADINE	1177	22	18.691589	9
2107	AVALON	744	14	18.817204	10
2096	CURL CURL	2166	41	18.928901	10
2070	EAST LINDFIELD	1235	24	19.433198	10
2230	BUNDEENA	4189	82	19.575078	9
2066	LANE COVE	4515	89	19.712071	10
2065	CROWS NEST	7164	143	19.960916	10
2085	BELROSE	397	8	20.151134	10
2088	MOSMAN	3856	78	20.228216	10

Interpreter Requests

Interpreter data was provided as a standalone dataset linked to individual listings. While this allows identification of the number, type, and timing of interpreter requests, the data cannot be linked to individual parties, meaning the applicant or respondent role is not known. Additionally, interpreter requests may be under-reported, particularly where parties are unaware of the service, choose not to request assistance, or where needs are communicated informally but not recorded in the system. As such, the recorded figures likely reflect a minimum estimate of interpreter use.

Table 13: Interpreter Requests (n=1,264)

Language	N	%
Chinese-Mandarin	578	46
Arabic	174	14
Spanish	66	5
Chinese-Cantonese	61	5
Vietnamese	52	4
Korean	42	3
Farsi	30	2
Hindi	20	2
French	19	2
Persian	14	1
Italian	12	1
Bengali	10	1
Greek	10	1
Thai	10	1
Turkish	10	1
Auslan	9	1
Portuguese	9	1
Punjabi	9	1
Dari	8	1
Japanese	8	1
Macedonian	8	1
Urdu	8	1
Croatian	7	1
Serbian	7	1
Tamil	7	1
Russian	6	<1
Sinhalese	6	<1
Nepalese	5	<1

Language	N	%
Assyrian	<5	<1
Filipino Languages	<5	<1
Indonesian	<5	<1
Other	<5	<1
Albanian	<5	<1
Chinese-Translations Only	<5	<1
Dinka	<5	<1
German	<5	<1
Khmer	<5	<1
Amharic	<5	<1
Chinese-Chaozhou	<5	<1
Chinese-Chiuchow	<5	<1
Chinese-Shanghainese	<5	<1
Fijian	<5	<1
Gujarati	<5	<1
Hungarian	<5	<1
Lao	<5	<1
Malaysian	<5	<1
Samoan	<5	<1
Tagalog	<5	<1
Burmese	<5	<1
Egyptian (Arabic)	<5	<1
Serbo-Croatian	<5	<1
Swahili	<5	<1
Telugu	<5	<1
Tongan	<5	<1

Small number suppression: To protect privacy, all frequency counts below 5 have been reported as <5 in this table. This approach is consistent with good data governance practice and avoids the potential identification of individuals in small population groups or procedural categories..

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