

**VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL  
CIVIL DIVISION**

**DOMESTIC BUILDING LIST**

**VCAT Reference: D13/2006**

**CATCHWORDS**

Domestic building – No appearance – Orders to be made.

**APPLICANTS:** Tony Grouios, Ellen Grouios  
**FIRST RESPONDENT:** Victorian Managed Insurance Authority  
**SECOND RESPONDENT:** GR & MC Salmon  
**WHERE HELD:** Melbourne  
**BEFORE:** Senior Member D. Cremean  
**HEARING TYPE:** Directions Hearing  
**DATE OF HEARING:** 21 April 2006  
**DATE OF ORDER:** 21 April 2006

[2006] VCAT 679

**ORDERS**

1. Proceeding against First Respondent is dismissed.
2. Order Applicants to pay First Respondent's costs of \$1,500.00.
3. Proceeding against Second Respondent is struck out.

**SENIOR MEMBER D. CREMEAN**

**APPEARANCES:**

For the Applicants: No appearance  
For the First Respondent: Mr L.M. Schwarz of Counsel  
For the Second Respondent: Mr G. Salmon in person

## REASONS

1. I am satisfied (in light of a telephone conversation with Registry staff and in light of the Applicants' non attendance this day and correspondence) that I should proceed to dismiss this proceeding as against the First Respondent. I do so.
2. I order the Applicants to pay the First Respondent's costs of \$1,500.00 being satisfied as required under s109 of the *Victorian Civil and Administrative Tribunal Act* 1998 that it is fair to do so having regard to s109(3).
3. The proceeding as against the Second Respondent is struck out by reason of the Applicants' failure to attend this day. I note the Second Respondent specifically makes no application for costs.

**SENIOR MEMBER D. CREMEAN**