



## HIGH COURT OF AUSTRALIA

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#### Details of Filing

File Number: D5/2022  
File Title: Young & Anor v. Chief Executive Officer (Housing)  
Registry: Darwin  
Document filed: Form 27B - Appellant's chronology  
Filing party: Appellants  
Date filed: 04 Nov 2022

#### Important Information

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BETWEEN:

**Enid Young**  
First Appellant

**Petria Cavanagh in her capacity as Administrator of the Estate of Robert Conway  
(deceased)**  
Second Appellant

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and

**Chief Executive Officer (Housing)**  
Respondent

### APPELLANTS' CHRONOLOGY

**Part I:** This chronology is in a form suitable for publication on the internet.

**Part II:**

| Date       | Event   | Core Appeal Book page reference   |
|------------|---|-----------------------------------|
| 1939       | Enid Young was born.  | 11 [29]; 127 [89]                 |
| 30.06.2010 | The tenancy of Enid Young at lot 165, Ltyentye Apurte ( <b>Lot 165</b> ) commenced.   | 11 [27]; 127 [89]                 |
| 2010       | Robert Conway ( <b>Kumanjayi Conway</b> ) and his wife, Josephine Cavanagh ( <b>Kumanjayi Cavanagh</b> ) first signed documents related to a tenancy at lot 195, Ltyentye Apurte ( <b>Lot 195</b> ).  | 13 [37]                           |
| 23.01.2011 | Kumanjayi Conway and Kumanjayi Cavanagh signed a residential tenancy agreement for Lot 195. It was not signed by or on behalf of the Chief Executive Officer (Housing) ( <b>landlord</b> ).   | 13 [35]                           |
| 14.12.2011 | Enid Young and Desmond Young's residential tenancy agreement for Lot 165 is signed by or on behalf of the landlord.   | 11 [26]-[27], 27 [93], 149 [6(c)] |
| 22.01.2016 | Notice under s 58 of the <i>Residential Tenancies Act</i> 1999 (NT) ( <b>the Act</b> ) in respect of rectification issues at lot 165 and lot 195 was delivered to the landlord. Notice in respect of Enid Young's home referred to her having no backdoor and no air-conditioner. | 10 [23] , 42 [161]                |

| Date       | Event   | Core Appeal Book page reference   |
|------------|---|-----------------------------------|
| 05.02.2016 | Enid Young, Kumanjayi Conway and Kumanjayi Cavanagh commenced proceedings in the Northern Territory Civil and Administrative Tribunal ( <b>Tribunal</b> ) seeking compensation under the Act.   | 5 [1], 147 [3]                    |
| 03.2016    | A backdoor was installed on behalf of the landlord at Enid Young's home.  | 12 [31]; 42 [160]-[163]; 127 [89] |
| 04.2016    | An air-conditioner was installed on behalf of the landlord at Enid Young's home.  | 12                                |
| 06.2018    | Kumanjayi Cavanagh passed away.   | 13 [34]                           |
| 19.11.2018 | Enid Young and Kumanjayi Conway gave evidence through an interpreter to the Tribunal sitting in Ltyentye Apurte for the first day of the trial.   | 8 [3], 11 [29]                    |
| 27.02.2019 | Reasons were given and orders were made by Member McCrimmon in the Tribunal. The Tribunal found that Enid Young having no back door was not a breach of ss 48 or 49 of the Act by the landlord, but was a breach of the obligation to repair under s 57 of the Act for six weeks. | 5, 42 [163]-[166], 68, 147 [1]    |
| 14.03.2019 | Enid Young and Kumanjayi Conway applied for leave to appeal the Tribunal's decision under s 141 of the <i>Northern Territory Civil and Administrative Tribunal Act 2014</i> (NT) to the Northern Territory Supreme Court.   | 71-76, 132, 209                   |
| 11.12.2019 | Enid Young and Kumanjayi Conway's appeal was heard in the Northern Territory Supreme Court, and leave was granted.  | 77, 81                            |
| 15.12.2019 | Kumanjayi Conway passed away.   | 82 [2]                            |
| 08.09.2020 | Judgment was given and orders were made by Blokland J in the Northern Territory Supreme Court. The Court found that Enid Young having no back door was a breach of s 49 of the Act.   | 77, 132-134, 146 [1]              |
| 06.10.2020 | All parties filed notices of appeal of the orders were made in the Northern Territory Supreme Court.  | 141                               |

| <b>Date</b> | <b>Event</b>  | <b>Core Appeal Book<br/>page reference</b> |
|-------------|---|--|
| 23.02.2021  | The landlord's appeal was heard in the Northern Territory Court of Appeal. The landlord relied on an amended notice of appeal of the same date. | 136-141, 143,                              |
| 04.02.2022  | Judgment was given and orders were made by Grant CJ, Southwood and Barr JJ in the Northern Territory Court of Appeal.                           | 143, 204-205                               |

Dated: 4 November 2022



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