Notice to terminate tenancy agreement

By Tenant *under the Residential Tenancies Act 2010*

Please complete this form using a black pen in BLOCK LETTERS

Name of landlord/s:

I hereby give notice that I will leave the premises and give vacant possession (move out) of:

Address of premises:

Postcode:

On *dd/mm/yyyy* (insert **termination date** on which tenant intends to vacate premises)

Note: *Tenants can vacate the premises prior to this date but will still be liable to pay rent until the termination date has passed* (Section 110)

Reason for termination

This notice is being given on the following grounds:

(tick appropriate box to indicate the grounds/reason and complete details as required)

☐ **End of fixed term tenancy:** At least 14 days' notice must be given and the termination date cannot be before the end of a fixed term agreement (*Section 96*).

☐ **Termination of periodic tenancy (no reason needed):** At least 21 days' notice must be given (*Section 97*).

☐ **Breach of agreement by the landlord:** At least 14 days' notice must be given (*Section 98*).
Note: *the notice may specify a date that is before the end of a fixed term agreement. The tenant is not liable to pay compensation for ending the agreement early.*

☐ **Landlord did not disclose information required under section 26:** At least 14 days' notice must be given (*Section 98A*).
Note: *the notice may specify a date that is before the end of a fixed term agreement. The tenant is not liable to pay compensation for ending the agreement early.*

☐ **Rent increase (during fixed term agreement of 2 years or more):** At least 21 days' notice must be given and the notice must be given before the rent increase starts (*Section 99*).
Note: *the notice may specify a date that is before the end of a fixed term agreement. The tenant is not liable to pay compensation for ending the agreement early.*

☐ **Reason to terminate without compensation applies:** At least 14 days' notice must be given (*Section 100*).
Note: *the notice may specify a date that is before the end of a fixed term agreement. The tenant is not liable to pay compensation for ending the agreement early.*

The notice may only be given for the following reasons –

- The tenant has been offered, and accepted, accommodation in social housing.
- The tenant has accepted a place in an aged care facility or requires care in such a facility.
- The premises have been listed on the LFAI Register during the term of the residential tenancy agreement, or were listed on the LFAI Register prior to the agreement being entered into and this was not disclosed to the tenant.
- The landlord has notified the tenant of their intention to sell the residential premises and did not disclose that the premises was offered for sale before entering into the residential tenancy agreement.

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☐ **Termination by co-tenant of own tenancy:** At least 21 days' notice must be given and the termination date cannot be before the end of a fixed term agreement (*Section 101*).

☐ **Death of a co-tenant:** At least 21 days' notice must be given (*Section 78*).

Note: *the notice may specify a date that is before the end of a fixed term agreement. The tenant is not liable to pay compensation for ending the agreement early.*

☐ **Agreement frustrated – uninhabitable, destroyed, or compulsorily acquired premises:** No minimum notice period (*Section 109*).

Note: *the notice may specify a date that is before the end of a fixed term agreement. The tenant is not liable to pay compensation for ending the agreement early.*

☐ **Break lease:** No minimum notice period – Break fee applies (*Section 107*).

If you are ending a tenancy due to domestic abuse, please complete the Domestic Violence Termination Notice instead of this form. For more information go to nsw.gov.au/housing-and-construction/rules/ending-a-tenancy-because-of-domestic-violence.

SERVICE OF NOTICE (Section 223)

Notice given by:

☐ Delivering it to the landlord/agent in person.

☐ Mailing it to the landlord/agent (allow extra 7 business days for delivery).

☐ Personally putting it in the landlord/agent's letterbox, in an envelope addressed to them.

☐ Delivering it to somebody in person over 16 at the landlord/agent's office.

☐ Emailing it to the landlord/agent at a specified email address for the service of documents.

(*The notice can only be sent this way if the landlord or agent has already given express consent to use the specified email address to receive notices and other documents this way*).

Signature of tenant:

Date delivered/posted/emailed: *dd/mm/yyyy*

Name of tenant:

Contact phone number of tenant:

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More information
For information about your rights and obligations as a tenant, contact: • NSW Fair Trading on 13 32 20 or nsw.gov.au/fair-trading or • Legal Aid NSW's LawAccess on 1300 888 529 or legalaid.nsw.gov.au/contact-us or • your local Tenants Advice and Advocacy Service at tenants.org.au

Information for the tenant

- You should retain a copy of this notice for your own records.
- The termination date does not have to align with rent payment periods.
- The notice period will begin the day after the termination notice is given to the landlord. Notice periods include all days of the week, including weekends and holidays.
- To give vacant possession of the premises, you must remove all your belongings (including rubbish) and return all keys to the landlord or landlord's agent.
- It is your responsibility to leave the premises as near as possible in the same condition, fair wear and tear excepted, as set out in the original condition report.
- The grounds in this termination notice are not the only way for you to end a tenancy. You can apply directly to the NSW Civil and Administrative Tribunal for an order to end the tenancy in specific situations, including undue hardship, breach of agreement by the landlord, or contravention of information disclosure provisions by the landlord.
- This notice can be revoked at any time (with agreement of the landlord). If the notice is revoked, you can still give a further notice on the same ground or a different ground.

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