

## Form 15 - Residential Tenancies Act 1995 (section 85D)

# Notice of termination by tenant on grounds of domestic abuse

**Note:** There are a number of ways in which a tenancy may be terminated under the *Residential Tenancies Act 1995*, some of which include applying directly to the South Australian Civil and Administrative Tribunal.

(insert name of landlord/agent)

To:

I give notice of termination of a residential tenancy agreement between me as tenant and you as landlord in respect of the premises at:

(insert address of rented premises)

On the ground that —

(Tick one or more of the following boxes to indicate the ground/s)

an **intervention order** is in force for my protection, or the protection of a domestic associate of mine who normally resides at the premises, against a person who is a domestic associate of someone who normally resides at the premises

either I am, or a domestic associate of mine who normally resides at the premises is, in some other circumstance of **domestic abuse**

(insert hand-over date)

I give you notice that I will deliver up vacant possession of the premises on

Full name of tenant:	
Address of tenant:	
Signature of tenant:	Date: / /

## Service of notice

This notice was served on (insert date):  by: (please tick 1 box)

- personally handing it to the landlord/agent
- mailing it to the landlord/agent – *The tenant should ensure an appropriate postage delivery time frame is taken into consideration. The tenant should take all reasonable steps to ensure the dates provided on this notice are accurate and the service of this notice is valid. If serving this notice by mail, you may wish to confirm the postal delivery time frame with the service provider (ie Australia Post).*
- placing it in the landlord/agent's letterbox
- emailing it to the landlord/agent
- other (please specify)



### Information for the tenant

1. This notice must be accompanied by either of the following evidence as is relevant—
  - (a) if this notice is given on the ground of an intervention order being in force—a copy of the intervention order; or
  - (b) if this notice is given on the ground of other circumstances of domestic abuse—a prescribed report.
2. This notice may be served on the landlord, or on an agent of the landlord—
  - (a) personally; or
  - (b) by sending it by post addressed to the person at their last known place of residence, employment or business; or
  - (c) by leaving it in a letterbox or other place where it is likely to come to the person's attention at their last known place of residence, employment or business; or
  - (d) by email to an email address provided by the person for the purposes of service under the Act.
3. You should retain a copy of this notice.

### Information for the landlord

You are required to deal with evidence and information that you receive with this notice in a confidential manner. Criminal penalties apply for contravention of these requirements. See section 85D of the *Residential Tenancies Act 1995*.

### Termination information

1. When the tenant vacates the premises, they should leave them in a reasonable condition and in a reasonably clean state. If they are not, the landlord may recover from the bond, or from the tenant directly, the costs required to remediate the premises (with supporting evidence showing the condition of the premises compared to the start of the tenancy, which demonstrates more than wear and tear).
2. If possible, the tenant and the landlord should agree on how the bond should be paid. Applications for bond payments are generally made online with Consumer and Business Services. If agreement cannot be reached with the landlord, you should contact Consumer and Business Services.
3. When the tenant vacates the premises, the tenant should ensure that they leave all the keys, remote controls and security devices with the landlord or agent, and notifies the electricity entity, gas company, Australia Post, Telstra etc, so that the new tenants do not use gas, electricity and the telephone on the tenant's accounts, and so that mail can be forwarded.

For further information contact Consumer and Business Services on 131 882, or visit [sa.gov.au/tenancy/renters](https://sa.gov.au/tenancy/renters)