

## Form 4 - Residential Tenancies Act 1995 (section 79B(4))

# Notice of termination by landlord following death of sole tenant

**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 the administrator of the deceased tenant's estate or the deceased tenant's next of kin)

To:

(insert name of the landlord/agent)

I:

give notice of termination  
of a residential tenancy  
agreement between:

(insert name of the deceased tenant)

and me as a landlord in respect of the premises at:

(insert address of rented premises)

on (insert date of termination):

 /  / 

on the ground that

(insert name of the deceased tenant)

has died.

Full name of administrator/next of kin:

Address of administrator/next of kin:

Signature of administrator/next of kin:

Date:

/ /

## Service of notice

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

☐

personally handing it to the administrator or next of kin

☐

mailing it to the administrator or next of kin – *The landlord/agent should ensure an appropriate postage delivery time frame is taken into consideration. The landlord 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 administrator or next of kin's letterbox

☐

emailing it to the administrator or next of kin

☐

other (please specify)



### Information for the landlord

1. This notice may be served on the administrator or next of kin:
  - (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.
2. You should retain a copy of this notice.

### Information for the administrator/next of kin

When the premises are vacated, they should be left 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's estate 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).

If possible, you should agree with the landlord 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.

When the premises are vacated, you should ensure that all the keys, remote controls, and security devices are left with the landlord or agent, and that the electricity entity, gas company, Australia Post, Telstra etc, are notified so that the new tenants do not use gas, electricity and the telephone on the deceased 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)*