Form 8 - *Residential Tenancies Act 1995 (section 83)*

Notice of termination of periodic tenancy by landlord on specified ground

> **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.
> The landlord cannot use this form to terminate a fixed term tenancy. If a landlord wishes to terminate a fixed term tenancy at the end of the fixed term, Form 9 must be used (or, if the landlord is a registered community housing provider, Form 7 may be used if it is applicable). In any other case, application must be made to the South Australian Civil and Administrative Tribunal.

(insert name of tenant)

To:

I give notice of termination of a residential tenancy agreement between me as landlord and you as tenant and for you to deliver up vacant possession 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)*

- [ ] either you or a person you permitted to enter the premises gave rise to a serious risk to the life, health or safety of the landlord, the landlord's agent or a person who resides in the immediate vicinity of the premises

- [ ] either you or another person residing at the premises threatened or intimidated the landlord, the landlord's agent or a contractor or employee of the landlord

- [ ] you kept a pet on the premises without the required authorisation

- [ ] you induced the landlord to enter into the tenancy by a statement or representation about your identity or place of occupation that you knew to be false, misleading or deceptive, or by knowingly concealing a material fact in respect of your identity or place of occupation

- [ ] it was a term of the residential tenancy agreement that you meet the eligibility requirements of the charity, being the landlord, to reside at the premises and you no longer meet the eligibility requirements

- [ ] the landlord is an NRAS approved participant and the premises are a rental dwelling covered by an allocation under the National Rental Affordability Scheme—the tenant is no longer an eligible tenant under the National Rental Affordability Scheme Regulations 2020 of the Commonwealth

- [ ] it was a term of the residential tenancy agreement that you be a student of an educational institution and you are no longer a student of the institution

- [ ] it was a term of the residential tenancy agreement that you be an employee of the landlord and you are no longer the landlord's employee.

(insert the particulars of the ground/s of the termination)

on: *(insert date on which tenant is required to vacate premises)* / / being a date that is at least 90 days after this notice is given.

Full name of landlord/agent:

Government of South Australia
Consumer and Business Services

Address for service of landlord/agent:	
Signature of landlord/agent:	Date: / /

Service of notice

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

[ ] personally handing it to the tenant

[ ] mailing it to the tenant – *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 (i.e. Australia Post).*

[ ] placing it in the tenant's letterbox

[ ] emailing it to the tenant

[ ] other (please specify) [   ]

Information for the landlord

1. This notice cannot be used if the tenancy has been entered into for a fixed term.

2. This notice may be served on the tenant (or on an agent of the tenant):
   (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 tenant

1. If your tenancy agreement is for a periodic tenancy and you wish to leave the rented premises before the date on which the landlord has indicated vacant possession of the premises is required, you may do so by serving a notice of termination (see Form 16) on the landlord at least 21 days before leaving, or a period equivalent to a single rental period of your tenancy (whichever is longer).

2. **Example:** If you pay rent per calendar month, instead of giving 21 days written notice, you would be required to give one calendar month's written notice.

3. When you vacate the premises, you should leave them in a reasonable condition and in a reasonably clean state. If you do not, the landlord may recover from the bond, or from you 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).

4. 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.

5. When you vacate the premises, ensure that you leave all the keys, remote controls and security devices with the landlord or agent, and notify the electricity entity, gas company, Australia Post, Telstra etc, so that the new tenants do not use gas, electricity and the telephone on your accounts, and so that mail can be forwarded to you.

6. If you are a co-tenant under a residential tenancy agreement and your tenancy is terminated due to the actions of another tenant, you may wish to seek advice about negotiating a new tenancy with the landlord or seek advice on whether options are available to make an application to SACAT.

For further information contact Consumer and Business Services on 131 882 or visit sa.gov.au/tenancy/renters

July 2024