

Residential Parks Act 2007

Agreement frustrated – For use by park owner

Resident's name	
Address of rented property	

I hereby give you notice that your agreement will come to an end on / /

(insert end date)

(Tick appropriate box below)

(valid notice period for fixed term or periodic residential park agreements)

Being a date fixed by me, as the rented property has been destroyed/become uninhabitable

Being a date fixed by me, as the rented property has ceased to be lawfully usable for residential purposes

Being not less than 60 clear days' notice, as the rented property has been acquired by a compulsory process

Park owner or operator's contact details	Name:	
	Telephone	Mobile
	Email	

Signature of the park owner or their representative	
Signature: _____	
Date: _____	/ /

Note: If two or more persons are residents under an agreement, the notice can be given to any one of them.

This notice was served on *(insert date)* / / by:

Personally handing it to the resident

Mailing it to the resident

Placing it in the resident's letterbox

Other – *please specify*

1. The agreement is terminated by this notice, but you cannot enter the rented property to take possession unless:
 - (a) the resident has voluntarily give up possession of the rented property; or
 - (b) you are authorised to take possession of the rented property by an order of a court or the South Australian Civil & Administrative Tribunal (SACAT). To seek an order for vacant possession, it will be necessary to lodge an application with SACAT.
2. An agreement is considered frustrated (other than as a result of a breach of the agreement) if the rented property, or a substantial portion of the rented property has:
 - (a) been destroyed or rendered uninhabitable; or
 - (b) ceased to be lawfully usable for residential purposes; or
 - (c) been acquired by compulsory process.
3. A park owner may give a resident notice that they will be terminating the agreement immediately if the agreement has been frustrated as described in 2(a) and (b) above.
4. If the rented property has been acquired by compulsory process, 60 clear days' notice is required. Clear days do not include the day the resident receives or is expected to receive this notice.

General information for residents and park owners

1. When the resident vacates the rented property, they should:
 - provide their forwarding address to the park owner
 - leave any keys or devices that were provided to them at the beginning of the agreement with the park owner
 - if necessary, notify the electricity, gas, and telephone companies, etc so that any new residents do not use gas, electricity or the telephone on the former resident's accounts.
2. If you both agree on how the bond is to be refunded, both of you should complete and sign the residential park bond refund form and lodge it with Consumer and Business Services (CBS). Make sure that the resident's forwarding address is included on the form so that all/part of the bond, or any future correspondence, can be sent to them. If an agreement cannot be reached, contact the advice section of CBS on 131 882.

You should retain a copy of this notice.

