



FORM 23 Notice to Lessor of Breach of Agreement

RESIDENTIAL TENANCIES ACT 1987 (WA)

To: _____
(name of lessor)

of: _____
(address of lessor)

I hereby give you NOTICE that you are in breach of the Residential Tenancy Agreement entered into with me on:

_____/_____/_____
(date the agreement was made)

I claim the breach of the agreement is: _____

Take notice that I require you to remedy this breach as soon as practicable.

(address of rented premises)

Tenant/s: _____ Date: ____/____/____

SERVICE INFORMATION FOR THE TENANT

If the matter goes to Court you will have to produce evidence of service. Service may be effected by various means, for example:

- by personal delivery (you may seek the assistance of a bailiff from the Magistrates Court or other process server); or
- by post (normal post not registered post).

You can deliver the notice to the lessor (landlord), the lessor's property manager, the person or organisation that receives your rent or any person apparently over the age of 16 years living at the lessor's home.

Service may be on any one lessor if there are more than one.

For full details about the service of notices see section 85 of the *Residential Tenancies Act 1987*.

IMPORTANT INFORMATION FOR TENANTS AND LESSORS

- If the tenant believes the lessor (landlord) has breached the tenancy agreement, the tenant should contact the lessor or the lessor's property manager to try to resolve the matter before issuing a breach notice.
- By providing this breach notice, the tenant is advising the lessor that the residential tenancy agreement has been breached and they require that the lessor remedies the breach.
- If the lessor does not remedy the breach, the tenant may apply to the Magistrates Court for an order for the lessor to remedy the breach or for some other action.
- The tenant should not stop paying rent to try and make the lessor fix the problem. That would breach the tenancy agreement and the lessor could issue the tenant with a notice to terminate the tenancy.
- The tenant should seek advice before providing this notice to the lessor.
- The tenant and lessor should seek advice immediately if they do not understand this notice or if they require further information.

For further information about tenancy rights, refer to the *Residential Tenancies Act 1987* or contact the Department of Mines, Industry Regulation and Safety on 1300 304 054 or www.dmirs.wa.gov.au/renting.

For Translating and Interpreting Services please telephone TIS on 13 14 50 and ask to speak to the Department of Mines, Industry Regulation and Safety (1300 304 054) for assistance.