



Notice of Termination by Park Operator or Tenant Agreement Frustrated Form 2011

This form should be used from 31 July 2011

Notice of Termination by Park Operator or Tenant Agreement Frustrated

Purpose of this notice

A park operator / managing real estate agent OR a tenant may issue this notice if agreed premises or shared premises meet the description set out in the item "Reason for notice" below.

This notice can require vacant possession of the agreed premises before the last day of the term of —

- a fixed term tenancy; or
- a period of a periodic tenancy,

as the case may be, and the rent will be abated appropriately.

Note to person issuing notice

Please complete in BLOCK letters. Attach extra pages if needed. All references to dates should be in DD/MM/YYYY.

The Department of Commerce recommends that you make a copy of the completed notice before giving it to the other party and make every effort to ensure the notice is securely delivered and received by that party.

If you need help please contact a community legal centre or the Department of Commerce on 1300 30 40 54.

Note to tenant

If you are entitled to compensation because of the termination, you should contact the park operator and negotiate the compensation payable and the date by which the compensation should be paid.

If you need help please contact a community legal centre or the Department of Commerce on 1300 30 40 54.

Intention to terminate agreement

The park operator / tenant intends to terminate the long-stay agreement with the tenant / park operator under the *Residential Parks (Long-stay Tenants) Act 2006* s. 45 because the agreed premises or shared premises have —

- become uninhabitable or unusable for the intended purpose otherwise than as a result of a breach of the long stay agreement; or
- ceased to be lawfully usable for the intended purpose; or
- been compulsorily acquired by an authority under a written law.

(Please tick.)

Person issuing notice

Name

Address

Suburb

State

Postcode

Person receiving notice

Name

Address

Suburb

State

Postcode

Residential park and site details

Park name and address

Site location (e.g. site number or other description)

Key dates

Vacant possession required by:...../...../.....

Note 1: Under the *Residential Parks (Long-stay Tenants) Act 2006* section 45(5), if the park operator gives this notice to the tenant, the above date must be at least 7 days after the day on which the notice is given.

Note 2: Under the *Residential Parks (Long-stay Tenants) Act 2006* section 45(6), if the tenant gives this notice to the park operator, the above date must be at least 2 days after the day on which the notice is given.

Date of this notice:...../...../.....

Signature of person issuing notice

Signatory (print name).....

SignatureDate Signed...../...../.....