



## Lessor chart 1: Service of a Breach Notice for Non-payment of Rent

### STEP 1

#### Serve the Breach Notice

(A) Day **RENT IS DUE**

*Date*

(B) Day **AFTER RENT IS DUE, SERVE BREACH NOTICE** for Non-Payment of Rent (**Form 21**).

*Date tenant served breach*

Give **14 full days** for tenant to bring rent up to date.

Refer to **DELIVERY METHODS**

(C) Day **TENANT RECEIVES NOTICE** (after delivery period).

*Date tenant receives notice*

(D) Day **1** is the day **AFTER TENANT RECEIVED NOTICE**

*Day 1 date*

**1 2 3 4 5 6 7**  
**8 9 10 11 12 13 14**

*Day 14 date*

#### Delivery methods

**In person:** Notice to be handed to someone 16 years or older who normally resides at the property. It cannot be left in the letterbox.

**Electronic/email:** There must be a prior written agreement that email can be used to give notice. You should retain a copy of the notice, record details of how it was served, date of service and sign it.

**General post:** Australia Post mail delivery is now made on limited days. Allow 2–6 business days including:

- the day of the service; and
- additional days for weekends and public holidays.

### STEP 2

#### Serve the Notice of Termination

(A) Day **15** If **RENT ARREARS STILL UNPAID, SERVE NOTICE OF TERMINATION** for Non-Payment of Rent (**Form 1A**).

*Day 15 date*

Give **7 full days** to vacate the premises.

Refer to **DELIVERY METHODS**

(B) Day **TENANT RECEIVES NOTICE** (after delivery period).

*Date tenant receives notice*

(C) Day **1** is the day **AFTER TENANT RECEIVED NOTICE**

*Day 1 date*

Give **7 full days'** notice to vacate the premises.

**1 2 3 4 5 6 7**

*Day 7 date*

### STEP 3

#### Apply for court order

(A) Day **8** **LEASE IS TERMINATED**

*Day 8 date*

(B) Day **9** the day **AFTER TERMINATION**

*Day 9 date*

(C) If tenant has not moved out, apply to the Magistrates Court within **30 days** from the day after termination for an order terminating the tenancy and seeking possession of the premises (**Court Form 12**).