



Tenant chart 1: Terminate your interest in a lease on grounds of family and domestic violence

STEP 1

Establish a safety plan

Before you serve the *Notice of Termination*, keep in mind:

- If you have co-tenants, the landlord must give each one a copy of the *Notice of Termination* within 7 days of receiving it from you – **this includes the perpetrator if they are on the lease.**
- You can physically leave the premises at any time (even before giving notice), but you will remain liable for your interest in the lease until the termination date you specified on the *Notice of Termination*.
- You will only be able to access the premises to remove belongings up to the termination date; if you wait until after, your right of entry ceases and you will need to obtain permission from the landlord and each co-tenant.

STEP 2

Serve the *Notice of Termination*

A **NOTICE OF TERMINATION + EVIDENCE* DELIVERED**
 Refer to **DELIVERY METHODS**

Date delivered to landlord

Day **LANDLORD RECEIVED NOTICE + EVIDENCE**
 (After delivery period)

Date landlord received Notice + evidence

The landlord must keep all supporting evidence you provide secure, private and confidential. They may **only** share a copy of the *Notice of Termination* with co-tenants.

B Day **1** is the day **AFTER LANDLORD RECEIVES NOTICE + EVIDENCE**

Day 1 date

You must provide **at least 7 full days' notice** to terminate but it can be longer.

1 2 3 4 5 6 7

Day 7 date

C Day **8** is **EARLIEST DAY YOUR INTEREST IN LEASE IS TERMINATED**

Day 8 date

OR,

if you specify a date **later than 7 days, DAY LEASE IS TERMINATED**

Specified termination date

Delivery methods

In person: Notice to be handed to park operator.

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

Property inspection

Following receipt of the *Notice of Termination*, the landlord will notify you that they (or the property manager) will conduct an inspection of the property within 7 days. They must give you and each co-tenant 3 full days' notice before inspecting.

Inspection date and time

- If you can, it's good to take photos of the property condition before you leave. This may not be possible in all cases.

***Permitted evidence is at least one of the following documents:**

- domestic violence order (DVO)
- a family court injunction or application
- copy of prosecution notice or indictment detailing family and domestic violence related charge
- *Consumer Protection family violence report - evidence form* signed by a:
 - doctor
 - psychologist
 - social worker
 - person in charge of a women's refuge
 - police officer
 - child protection worker
 - family support worker
 - person in charge of an Aboriginal health, welfare or legal organisation