

Notice to leave (Form 12)

Residential Tenancies and Rooming Accommodation Act 2008 (Sections 277, 281–291, 317, 326, 329 and 330)

COVID-19 Emergency Response Act 2020 (Section 24)

Residential Tenancies and Rooming Accommodation (COVID-19 Emergency Response) Regulation 2020 (Sections 9, 35-38, 40)*



COVID-19 arrangements update for residential tenancies: Notices issued using previous additional approved grounds reasons on or before 29 September 2020 remain effective.

Notice to leave without grounds issued to (COVID-19 impacted tenants) prior to 29 September 2020 are null and void and must be re-issued after 29 September 2020.

Notice to leave without grounds issued to non-COVID-19 impacted tenants prior to 29 September 2020 remain in effect.

1 Address of the rental property

	Postcode

2 Notice issued by Agent Lessor

Full name/trading name	Phone

3 Notice issued to

Full name/s

1.
2.
3.

4 Notice issued (See overleaf for grounds/reasons)

- without grounds
 with grounds (provide details)

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5 Notice issued on

Day	Date	Method of issue (e.g. email, post, in person)

6 Tenant/s must vacate the property by midnight on

Day	Date	(Minimum notice periods apply – see overleaf)

7 Signature of the lessor or agent issuing this notice

Print name	Signature	Date

The lessor/agent gives this notice to the tenant/s when they want them to vacate the property by a certain date.

Information about tenants' rights and obligations are included in the tenancy agreement.

There may be one of several reasons (grounds) for giving the notice. If the tenant/s dispute the reason given, they should try to resolve the matter with the lessor/agent first. If agreement cannot be reached, the RTA's dispute resolution service may be able to assist – visit rta.qld.gov.au or phone 1300 366 311.

If the tenant/s do not leave the property by the date nominated in item 6, the lessor/agent may apply directly to the Queensland Civil and Administrative Tribunal (QCAT) for a termination order without further notice to the tenant.

If QCAT makes a termination order, it must also make an order for possession of the property in the lessor's favour. Tenants cannot be evicted without an order for possession of the property.

When serving notices by post, the sender must allow time for the mail to arrive when working out notice periods.

Do not send to the RTA—give this form to the tenant/s and keep a copy for your records.

Note: this form can only be used until 31 December 2020 as stated in section 3 of the Residential Tenancies and Rooming Accommodation (COVID-19 Emergency Response) Regulation 2020.

*As amended by Residential Tenancies and Rooming Accommodation (COVID-19 Emergency Response) Amendment Regulation 2020.



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Minimum notice periods

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From 30 September 2020, normal processes and grounds apply to ending agreements for reasons not related to COVID-19, except where outlined in the below tables.

Grounds (reasons)	General tenancy	Moveable dwellings (long-term agreement)	Moveable dwellings (short-term agreement)
Unremedied breach – rent arrears	7 days	2 days	n/a
Unremedied breach – general	14 days	2 days	n/a
Non-compliance with QCAT order	7 days	7 days	2 days
Non-compliance (moveable dwelling location)	n/a	2 days	2 days
Non-liveability	The day it is given	The day it is given	The day it is given
Compulsory acquisition	2 months	2 months	2 days
Sale contract (periodic agreement)	4 weeks	4 weeks	2 days
Voluntary park closure	n/a	3 months	2 days
Compulsory park closure	n/a	The day it is given	The day it is given
Employment termination	1 month	1 month	2 days
Ending of accommodation assistance	1 month	1 month	2 days
Ending of housing assistance	1 month	2 months	2 days
Mortgagee in possession (depending on whether mortgagee has/hasn't consented to the tenancy)	2 months	2 months	n/a
Death of a sole tenant (parties can agree on an earlier date)	2 weeks	2 weeks	n/a
Serious breach (public housing or community housing)	7 days	n/a	n/a
Without grounds*	Periodic – 2 months Fixed-term – Later of 2 months or the day the agreement ends	2 months	2 days

*Parties can agree to end earlier but it must be agreed in writing.

Grounds for which this notice may not be used

Failure to leave as intended	By QCAT order	By QCAT order	By QCAT order
Excessive hardship	By QCAT order	By QCAT order	By QCAT order
Damage	By QCAT order	By QCAT order	By QCAT order
Injury	By QCAT order	By QCAT order	By QCAT order
Objectional behavior	By QCAT order	By QCAT order	By QCAT order
Incompatibility	By QCAT order	By QCAT order	By QCAT order
Repeated breaches by tenant	By QCAT order	By QCAT order	By QCAT order
Abandonment	7 days [^] or by QCAT order	7 days [^] or by QCAT order	7 days [^] or by QCAT order
Nuisance	By QCAT order	By QCAT order	By QCAT order

[^]An [Abandonment termination notice](#) is used when the property manager/owner wants to end a tenancy agreement because they believe the property has been abandoned.