

# Notice to leave – Rooming accommodation (Form R12)

Residential Tenancies and Rooming Accommodation Act 2008 (Sections 366, 369–372, 374 and 384)

COVID-19 Emergency Response Act 2020 (Section 24)

Residential Tenancies and Rooming Accommodation (COVID-19 Emergency Response) Regulation 2020 (Sections 48 and 73-75)\*



**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 residents) 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 residents prior to 29 September 2020 remain in effect.

## 1 Address of the rental property

|          |          |
|----------|----------|
| Room no. |          |
|          | Postcode |

## 2 Notice issued by Manager/provider Agent

|                        |       |
|------------------------|-------|
| 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 below)

|  |
|--|
|  |
|--|

## 5 Notice issued on

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

## 6 Resident/s must vacate the property by midnight on

|     |      |   |
|-----|------|---|
| Day | Date | (Minimum notice periods apply – see overleaf) |
|     |      |   |

If you do not leave by this date, it may be lawful for the agent or manager/provider, and anyone helping them, to use necessary and reasonable force to remove you and your property from the residence, in the presence of a police officer.

## 7 Signature of the agent or manager/provider issuing this notice

|            |           |      |
|------------|-----------|------|
| Print name | Signature | Date |
|            |           |      |

Do not send to the RTA—give this form to the resident/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.



# Notice to leave – Rooming accommodation (Form R12)

Residential Tenancies and Rooming Accommodation Act 2008 (Sections 366, 369–372, 374 and 384)

COVID-19 Emergency Response Act 2020 (Section 24)

Residential Tenancies and Rooming Accommodation (COVID-19 Emergency Response) Regulation 2020 (Sections 48 and 73-75)\*

The manager/provider or agent gives this notice to the resident/s when they want them to vacate the property by a certain date.

Information about residents' rights and obligations are included in the rooming accommodation agreement.

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

If this notice has been issued for a serious breach, the manager/provider or agent can end the tenancy immediately and may use force to remove the resident in the presence of a police officer.

The manager/provider or agent may also apply directly to Queensland Civil and Administrative Tribunal (QCAT) for a termination and possession order if the resident does not leave by the date nominated in Item 6.

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

## Minimum notice periods

**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.

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)   | Rooming accommodation   |
|---|---|
| Unremedied breach – rent arrears less than 28 days                  | Immediately   |
| Unremedied breach – rent arrears 28 days or more                    | 4 days  |
| Unremedied breach – general   | 2 days  |
| Compulsory acquisition  | 2 months  |
| Employment termination or entitlement to occupy for employment ends | 1 month   |
| Mortgagee in possession   | 30 days   |
| Serious breach  | Immediately   |
| Property destroyed  | Immediately   |
| Death of a sole resident (parties can agree on an earlier date)     | 7 days  |
| Without grounds*  | Periodic – 30 days<br>Fixed-term – Later of 14 days or the day the agreement ends |

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

## Grounds for which this notice may not be used

|                               |                                      |
|-------------------------------|--------------------------------------|
| Repeated breaches by resident | By QCAT order                        |
| Abandonment                   | 7 days <sup>^</sup> or by QCAT order |
| Excessive hardship            | By QCAT order                        |

<sup>^</sup>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.