

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 Queensland Government has established:

- a six-month suspension on evictions for rent arrears resulting from excessive hardship caused by the COVID-19 emergency.
- fixed term agreements must be extended until at least 30 September 2020 for residents experiencing excessive hardship. A shorter or longer term can also be negotiated between parties.

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 new and amended grounds for the COVID-19 emergency period)

IMPORTANT: During the COVID-19 emergency period until 31 December 2020, a notice to leave cannot be issued:

- without grounds if the resident is suffering or has suffered excessive hardship due to the COVID-19 emergency and can show cause.
- with grounds of rent arrears due to excessive hardship caused by the COVID-19 emergency.

- without grounds
 with grounds (provide details below)

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NOTE: Evidence must be provided to support the issuing of a Notice to leave for the following grounds during the COVID-19 emergency period:

- sale of the property
- preparing the property for sale.

The Residential Tenancies Authority (RTA) can enforce a maximum of 50 penalty units for misuse of the above grounds.

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)

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.



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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 or phone 1300 366 311.

All existing grounds remain applicable unless the residency is impacted by the COVID-19 emergency. During the COVID-19 emergency period (until 31 December 2020), agent or manager/provider can also end a residency if:

- they require the property to be vacant to prepare the property for sale
- they have entered into a contract for sale of the property with vacant possession
- the owner or a member of their immediate family needs to move in
- the resident/s has seriously breached the rooming agreement for something other than COVID-19 related rent arrears.

If the resident/s do not leave the property by the date nominated in item 6, the agent or manager/provider may apply directly to the Queensland Civil and Administrative Tribunal (QCAT) for a termination order without further notice to the resident. However, this is not applicable for Notices to leave issued for rent arrears until 31 December 2020.

If QCAT makes a termination order, it must also make an order for possession of the property in the manager/provider's favour.

Residents cannot be evicted without an order for possession of the property – this is not applicable for Notices to leave issued for rent arrears where the resident suffered from excessive hardship because of the COVID-19 emergency.

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

Minimum notice periods

See list of new and amended grounds for the COVID-19 emergency period below.

See other existing grounds at <http://www.rta.qld.gov.au/ending-tenancy-notice>.

With grounds

Grounds	Minimum notice	Existing or new ground
Unremedied breach – rent arrears less than 28 days	Immediately	Existing <i>Note: will not apply during the COVID-19 emergency period if the resident can demonstrate the rent arrears accrued are a result of excessive hardship caused by the COVID-19 emergency</i>
Unremedied breach – rent arrears 28 days or more	4 days	
The rental property has been sold and vacant possession is required, OR the manager/provider requires vacant possession in preparing the property to sell (may occur during fixed term agreement)	1 month	New

Without grounds

Type of agreement	Minimum notice	Existing or new ground
Fixed term agreement	14 days, but not before the end date of the fixed term agreement	Existing <i>Note: will not apply during the COVID-19 emergency period until 31 December 2020.</i>
Periodic agreement	30 days	