

Notice ending tenancy interest (domestic and family violence) (Form 20)

Residential Tenancies and Rooming Accommodation Act 2008 (s308B)
Residential Tenancies and Rooming Accommodation Regulation 2009 (s25A)



Tenants who believe they can no longer safely occupy their rental premises because they are experiencing domestic and family violence can use this form to end their interest in a tenancy agreement (Part A) and provide relevant evidence to support their circumstances (Part B). For further information regarding the meaning of domestic violence, please refer to the [Domestic and Family Violence Protection Act 2012](#).

Tenants vacating due to experiencing domestic and family violence must provide 7 days notice. They can vacate before 7 days but are responsible for paying rent until the end of the 7 day notice period. Vacating tenants are not responsible for costs relating to:

- the ending of the residential tenancy agreement or interest;
- goods left behind in the rental premises;
- reletting the rental premises.

The vacating tenant may still be responsible for costs associated with breaching terms of the agreement (for example, rent arrears or damage to the property by a pet). However, vacating tenants are not required to repair or compensate the lessor/agent for damage to the premises or inclusions caused by an act of domestic and family violence experienced by the tenant.

Vacating tenants can apply for a refund of their rental bond contribution by completing and submitting a [Bond refund for persons experiencing domestic and family violence](#) (Form 4a) to the RTA.

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

PART A: Ending your tenancy interest

1 Address of the rental property

	Postcode	

2 Notice issued by (for your privacy, only provide secure, individual contact details; do not provide shared email addresses)

Full name of vacating tenant			
Phone		Mobile	Date
Email			

Note: if there is more than one tenant vacating on grounds of experiencing domestic and family violence, please complete a separate form for each tenant.

3 Notice issued to Lessor Agent

Full name/trading name	
Address	
	Postcode

4 Notice issued on

Day	Date	Method of issue (e.g. email, post, in person)
<input type="text"/>	<input type="text"/>	<input type="text"/>

5 I intend to vacate the property by midnight on

Date (you must provide minimum 7 days notice and pay rent for those 7 days but you can vacate at any time)

Give this form to the lessor/agent and keep a copy for your records.

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PART B: Providing evidence to lessor/agent

You are required to provide relevant evidence to the lessor/agent to support your claim of experiencing domestic and family violence. You can choose to provide a copy of relevant evidence or allow your lessor/agent to inspect it.

Please indicate how you intend to provide relevant evidence:

- I intend to show my lessor/agent relevant evidence.
- I have included a copy of relevant evidence with this form.

My relevant evidence is

- under the *Domestic and Family Violence Protection Act 2012* (Queensland):
 - a protection order;
 - a temporary protection order;
 - a police protection notice;
 - an interstate order;
- under the *Family Law Act 1975* (Commonwealth), section 68B(1)(a) or (b) or 114(1)(a):
 - an injunction;
- a Domestic and family violence report (downloadable from rta.qld.gov.au) signed by an authorised professional (referred to as 'entity' under the *Residential Tenancies and Rooming Accommodation Regulation 2009* section 25A(c)).

Who is an authorised professional?

An authorised professional refers to any of the following entities who may complete a [Domestic and family violence report](#) as prescribed by the *Residential Tenancies and Rooming Accommodation Regulation 2009*:

- a) a health practitioner, meaning a person registered under the Health Practitioner Regulation National Law to practise, other than as a student, in any of the following health professions –
 - Aboriginal and Torres Strait Islander health practice;
 - medical;
 - midwifery;
 - nursing;
 - occupational therapy;
 - psychology.
- b) a person who is eligible for membership of the Australian Association of Social Workers;
- c) a refuge or crisis worker;
- d) a domestic and family violence support worker or case manager;
- e) an Aboriginal and Torres Strait Islander medical service;
- f) a solicitor.

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Guidelines for lessors/agents

It is critical to maintain the privacy of a tenant who is experiencing domestic and family violence to ensure their safety.

- Do not take a copy of this form unless the tenant agrees, or provides you with a copy.
- If the tenant gives you a copy of this form, you must ensure this and other domestic and family violence information is kept in a secure manner.
- You must not disclose information about the tenant's domestic and family violence experience to anyone unless in specific permitted circumstances (outlined in the *Residential Tenancies and Rooming Accommodation Act 2008* section 308I). Penalties apply if you do not follow these requirements.
- You must not provide any information about the vacating tenant to any remaining/other tenants **until a minimum of 7 days after the vacating tenant's interest in the tenancy ends**. After this time period, information given should be limited to that in the *Continuing interest notice*.
- Remaining tenants for the same residential tenancy agreement may not be the alleged perpetrator/s. However, it is important that the vacating tenant should only be contacted using updated details they have provided.
- Contact details provided by the vacating tenant should not be passed on to anyone else, unless required by law to do so.

Lessor/agent obligations on receiving this notice

On receiving this notice, the lessor/agent must inform the vacating tenant within 7 days whether the lessor/agent intends to apply to the Queensland Civil and Administrative Tribunal (QCAT) for the notice to be set aside.

Note: QCAT will only consider whether or not the evidence supporting the notice is the evidence required under the *Residential Tenancies and Rooming Accommodation Act 2008* section 308B(1)(b). QCAT will not examine whether the tenant experienced domestic and family violence or if they could safely continue to occupy the premises.

If there are other tenants for the same residential tenancy agreement, the lessor/agent must:

- inform the vacating tenant that **no earlier than 7 days after the vacating tenant's interest ends**, the remaining tenants for the same residential tenancy agreement will be informed that the vacating tenant's interest in the agreement has ended;
- provide a *Continuing interest notice* to all remaining tenants **strictly between 7-14 days after the vacating tenant's interest in the agreement ends** to inform the remaining tenants that the residential tenancy agreement continues for them and give them one month to top up the bond.