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| **Notice to leave to resident of managed premises or resident’s visitor** Residential Tenancies Act 1997 Section 368(3)*Residential Tenancies Regulations 2021* Regulation 92 | Consumer Affairs Victoria |

# Part A – Information for the resident or visitor

## If you are a resident

* This notice suspends your right to live in the managed premises.
* After receiving this notice, you must leave the premises immediately.
* It is an offence for you or your visitor to fail to leave the property, or return to the property, during the suspension.
* You may arrange with the manager of the premises for someone to collect your personal items from the premises. This includes things you might need during the suspension, such as food, clothing and medicine, or evidence for a VCAT hearing.
* You must pay rent during the suspension unless the Victorian Civil and Administrative Tribunal (VCAT) finds that you should not have been given this notice. If that happens, any rent you pay during the suspension must be paid back to you, in addition to reasonable expenses you incur during the suspension.
* If you receive this notice, you should urgently contact VCAT on 1300 018 228 to determine whether an application to VCAT to terminate your residency has been made.

**When you may return**

* If the manager does not apply to VCAT-
You can return at the end of 2 business days from the date of this notice,which is (insert date).
* If the manager applies to VCAT-
You must not return until after VCAThears and decides that application.

**Attending your VCAT hearing**

* If the manager applies to VCAT to end your residency, it is important that you attend the hearing and get legal advice.
* VCAT cannot make an order terminating your housing unless it decides that is reasonable and proportionate to do so, after considering the circumstances.
* You may want a lawyer to represent you at this hearing (see Help or Further Information, below).

**Getting Help**

Consumer Affairs Victoria can provide you with more information on 1300 55 81 81. You can also seek legal advice from one of the community legal organisations listed on our website [www.consumer.vic.gov.au/renting](http://www.consumer.vic.gov.au/renting).

**If you require crisis accommodation, call the 24-hour statewide toll-free number 1800 82 59 55 for assistance**.

## If you are a visitor who is given this notice

It is an offence to remain on or enter the premises after being given a notice to leave and to enter or re-enter the premises while the suspension is in force.

# Part B – Information for the manager

* The manager of a managed premises must use this form to instruct the resident of a managed premises, or the resident’s visitor, to immediately leave the premises.
* ‘Manager’ includes residential rental provider, rooming house operator, caravan park owner and Part 4A park owner
* The manager may only give this form if they have **reasonable grounds** to believe that the resident or visitor has committed a serious act of violence on the premises or the safety of any person on the premises has been endangered or that the resident has caused, counselled or permitted their visitor to do the same.
* It is an offence to give this notice without reasonable grounds.
* This form must be given as soon as it is safe to do so.
* This notice cannot be given if a notice to vacate has already been given under sections 91ZJ, 142ZC, 206AR or 207X of the *Residential Tenancies Act 1997* in respect of the same act or omission.
* The manager must not give the resident this notice for the actions of their visitor in instances of family violence (i.e. where the violence or threat to safety is family violence and the visitor is a family member of the resident).
* The manager may apply to VCAT for an order to terminate the residency right or site agreement before the end of two days after the suspension.

# Part C – Details

1. This notice is given to the:

[ ]  Resident

[ ]  Resident’s visitor

1. Address of managed premises

|  |  |  |
| --- | --- | --- |
|  | Postcode |  |

1. Resident/Visitor details (if known)

|  |  |
| --- | --- |
| Full name  |  |

Address for serving notices (If a visitor is being given notice to leave, this must be the visitor’s address)

|  |  |  |
| --- | --- | --- |
|  | Postcode |  |

Contact details

|  |  |
| --- | --- |
| Business hours |  |

|  |  |
| --- | --- |
| After hours |  |

|  |  |
| --- | --- |
| Email address |  |

1. Manager details

 Full name of manager

|  |
| --- |
|  |

Address for serving documents

|  |  |  |
| --- | --- | --- |
|  | Postcode |  |

Contact details

|  |  |
| --- | --- |
| Business hours |  |

|  |  |
| --- | --- |
| After hours |  |

|  |  |
| --- | --- |
| Email address |  |

1. Reason to leave

 As manager, I am giving you notice to leave the premises immediately because I have reasonable grounds to
 believe that you have:

[ ]  committed a serious act of violence on the premises

[ ]  placed another person on the premises in danger

[ ]  caused, counselled or permitted your visitor to commit a serious act or violence on the premises

[ ]  caused, counselled or permitted your visitor to place another person on the premises in danger

More details (manager must fill this in explaining the reason for giving notice)

|  |
| --- |
|  |

I will give written notice to the Principle Registrar of VCAT of the fact that I have issued a Notice to Leave. I will do this by no later than the end of the next business day after which this notice is given.

1. Delivery of this notice
* The notice period begins when the resident or visitor is estimated to receive this notice.
* For information on postage times from different locations please refer to the Australia Post website (<https://auspost.com.au/parcels-mail/calculate-postage-delivery-times>)
* If sending by post, the manager must allow for the delivery time in calculating the proposed termination date.
* If sending by registered post, manager should keep evidence of the mail delivery method used to send this notice.

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

This notice was sent on: (insert date)

**This notice has been delivered:**

|  |
| --- |
| [ ]  personally, for example by hand  |

|  |  |  |  |
| --- | --- | --- | --- |
| [ ]  by registered post | Expected delivery time  |  | (please see the Australia Post website) |

|  |  |
| --- | --- |
| Registered post tracking number (if applicable) |  |

|  |
| --- |
| [ ]  by email (if consent has been provided by the resident/resident’s visitor) |

|  |  |
| --- | --- |
| Email address resident/resident’s visitor |  |

1. Signature of manager

|  |  |
| --- | --- |
| Signature |  |

|  |  |
| --- | --- |
| Date of notice |  |

|  |  |  |
| --- | --- | --- |
| Suspended until |  | (The end of 2 business days from the date of this notice) |

# Help or further information

For further information, visit the renting section – Consumer Affairs Victoria website at [www.consumer.vic.gov.au/renting](http://www.consumer.vic.gov.au/renting) or call Consumer Affairs Victoria on **1300 55 81 81**.

# Telephone interpreter service

If you have difficulty understanding English, contact the Translating and Interpreting Service (TIS) on 131 450 (for the cost of a local call) and ask to be put through to an Information Officer at Consumer Affairs Victoria on 1300 55 81 81.

 **Arabic**

إذا كان لديك صعوبة في فهم اللغة الإنكليزية، اتصل بخدمة الترجمة التحريرية والشفوية (TIS) على الرقم 450 131 (بكلفة مكالمة محلية) واطلب أن يوصلوك بموظف معلومات في دائرة شؤون المستهلك في فكتوريا على الرقم 81 81 55 1300.

**Turkish** İngilize anlamakta güçlük çekiyorsanız, 131 450’den (şehir içi konuşma ücretine) Yazılı ve Sözlü Tercümanlık Servisini (TIS) arayarak 1300 55 81 81 numerali telefondan Victoria Tüketici İşleri’ni aramalarını ve size bir Danişma Memuru ile görüştürmelerini isteyiniz.

**Vietnamese** Nếu quí vị không hiểu tiếng Anh, xin liên lạc với Dịch Vụ Thông Phiên Dịch (TIS) qua số 131 450 (với giá biểu của cú gọi địa phương) và yêu cầu được nối đường dây tới một Nhân Viên Thông Tin tại Bộ Tiêu Thụ Sự Vụ Victoria (Consumer Affairs Victoria) qua số 1300 55 81 81.

**Somali** Haddii aad dhibaato ku qabto fahmida Ingiriiska, La xiriir Adeega Tarjumida iyo Afcelinta (TIS) telefoonka 131 450 (qiimaha meesha aad joogto) weydiisuna in lagugu xiro Sarkaalka Macluumaadka ee Arrimaha Macmiilaha

Fiktooriya tel: 1300 55 81 81.

Chinese 如果您聽不大懂英語，請打電話給口譯和筆譯服務處，電話：131 450（衹花費一個普通電話費），讓他們幫您接通維多利亞消費者事務處（Consumer Affairs Victoria）的信息官員，電話：1300 55 81 81。

**Serbian** Ако вам је тешко да разумете енглески, назовите Службу преводилаца и тумача (Translating and Interpreting Service – TIS) на 131 450 (по цену локалног позива) и замолите их да вас повежу са Службеником за информације (Information Officer) у Викторијској Служби за потрошачка питања (Consumer Affairs Victoria) на 1300 55 81 81.

**Amharic**  በእንግሊዝኛ ቋንቋ ለመረዳት ችግር ካለብዎ የአስተርጓሚ አገልግሎትን (TIS) በስልክ ቁጥር 131 450 (በአካባቢ ስልክ ጥሪ ሂሳብ) በመደወል ለቪክቶሪያ ደንበኞች ጉዳይ ቢሮ በስልክ ቁጥር 1300 55 81 81 ደውሎ ከመረጃ አቅራቢ ሠራተኛ ጋር እንዲያገናኝዎት መጠየቅ።

**Dari**

اگر شما مشکل دانستن زبان انگلیسی دارید، با اداره خدمات ترجمانی تحریری و شفاهی (TIS)به شماره 450 131 به قیمت مخابره محلی تماس بگیرید و بخواهید که شما را به کارمند معلومات دفتر امور مهاجرین ویکتوریا به شماره 1300 55 81 81 ارتباط دهد.

**Croatian** Ako nerazumijete dovoljno engleski, nazovite Službu tumača i prevoditelja (TIS) na 131 450 (po cijeni mjesnog poziva) i zamolite da vas spoje s djelatnikom za obavijesti u Consumer Affairs Victoria na 1300 55 81 81.

**Greek** Αν έχετε δυσκολίες στην κατανόηση της αγγλικής γλώσσας, επικοινωνήστε με την Υπηρεσία Μετάφρασης και Διερμηνείας (ΤΙS) στο 131 450 (με το κόστος μιας τοπικής κλήσης) και ζητήστε να σας συνδέσουν με έναν Υπάλληλο Πληροφοριών στην Υπηρεσία Προστασίας Καταναλωτών Βικτώριας (Consumer Affairs Victoria) στον αριθμό 1300 55 81 81.

**Italian** Se avete difficoltà a comprendere l’inglese, contattate il servizio interpreti e traduttori, cioè il Translating and Interpreting Service (TIS) al 131 450 (per il costo di una chiamata locale), e chiedete di essee messi in comunicazione con un operatore addetto alle informazioni del dipartimento “Consumer Affairs Victoria” al numero 1300 55 81 81.