# Detailed Reference Guide 19: Notice to vacate for endangering safety

This reform starts on 29 March 2021.

## New requirements

A renter may be given a notice to vacate by their rental provider if they, or their visitor, endanger:

* another resident or other residents,
* neighbours,
* the rental provider or their agent, or
* the rental provider’s or agent’s contractor or employee.

The notice to vacate may specify a termination date that is the date on which the notice is given or a later date.

The notice to vacate may not be given where a manager of a managed premises has already given a notice to leave in respect of the same conduct.

When determining an application for a possession order which is supported by a notice to vacate for endangering, VCAT must take into account any guidelines issued by the Director of Consumer Affairs.

This reform also applies to rooming houses, caravan parks and residential parks.

## Previous requirements

Previously, the rental provider, their agent, contractor or employee were not covered.

## Requiring further specification

Consumer Affairs Victoria will be issuing guidelines to help understand what endangering safety means for this notice to vacate.

## Relevant legislation in the *Residential Tenancies Act 1997*

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| 91ZJ | Danger |
| 142ZC | Danger (rooming houses) |
| 206AR | Danger (caravan parks) |
| 207X | Danger (residential parks) |
| 330 | Order of Tribunal |
| 368 | Manager may give person notice to leave—serious acts of violence |
| 452 | General applications to the Tribunal |
| 486(fa) | Functions of Director |

Note: This was Reform 74 in the Fairer Safer Housing review.