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| Termination after death of a sole renter | Consumer Affairs Victoria |

**Residential Tenancies Act 1997** Section 91N

**The residential rental provider (rental provider, formerly known as landlord) may** use this form to end the residential rental agreement where there is only one renter under the agreement and the renter has died.

# Part A – Information for the legal personal representative or next of kin

This notice is being given to you as the next of kin or legal representative of a renter that has passed away. This notice is used by a rental provider in these circumstances to formally end the rental agreement on a specified date. You can find details of this date at section 4 of the form. This is a notice to vacate the rented premises, which includes removing all the renter's possessions.

Please note that:

* This notice must be given to the legal personal representative or next of kin of the deceased sole renter.
* If there is an existing fixed term rental agreement, the proposed termination date may be a date before the end of that agreement.
* The rental provider cannot end the rental agreement if there is more than one renter remaining under the rental agreement.
* The legal personal representative or next of kin of the deceased sole renter may give vacant possession (remove the renter's possessions) at any time before the proposed termination date specified in this notice.
* If you are unable to provide vacant possession (remove the renter's possessions) by the proposed termination date, you should contact the rental provider and propose a different date.
* The legal personal representative or next of kin of the deceased sole renter can also provide a notice of intention to vacate if they are ready to give the rented premises back to the rental provider. *(You can use 'Notice to residential rental provider of rented premises' available on the* Consumer Affairs Victoria website at [www.consumer.vic.gov.au/renting](http://www.consumer.vic.gov.au/renting)*).*

## Unpaid rent

* The estate of a deceased renter is not liable to pay rent for the period between the date the premises are vacated and the termination date specified in this notice.

# Part B – Information for the rental provider

If you cannot locate the legal personal representative or next of kin of the deceased renter, you may apply to the Victorian Civil and Administrative Tribunal (VCAT) for:

* an order to end the rental agreement (a termination order); and
* an order requiring the premises be vacated by a certain date (a possession order).

## Seeking advice

You can find out more about this type of notice to vacate on the Consumer Affairs Victoria website at [www.consumer.vic.gov.au/renting](http://www.consumer.vic.gov.au/renting) or call 1300 55 81 81.

# Part B – Notice

1 Address of rented premises

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

2 Renter details

|  |  |
| --- | --- |
| Full name of deceased **renter**  |  |

3 Rental provider details

Full name of rental provider (this cannot be an agent’s name)

|  |
| --- |
|  |

Rental provider’s address for serving documents (this may be an agent’s address)

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

Contact details

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

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

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

4 Termination date

The termination date must allow time for the proposed method of delivery and the date the legal personal representative or next of kin of the deceased renter is expected to receive the notice.

*If this is a fixed term agreement, the termination can be a date before the end of that agreement.*

|  |  |
| --- | --- |
| I request that the rented premises be vacated on or before the following termination date: |  |

5 Reason for notice

I am giving you this notice because the renter under the rental agreement is deceased, and I am formally ending the rental agreement.

6 Delivery of 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 rental provider must allow for the delivery time in calculating the proposed termination date.
	+ If sending by registered post, the rental provider 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  |

|  |  |
| --- | --- |
| Email/postal address  |  |

7 Signature of rental provider/agent

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

|  |  |  |  |
| --- | --- | --- | --- |
| Name |  | Date |  |

# 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 the 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.