

Notice for breach of duty to landlord of rented premises

Residential Tenancies Act 1997 (the Act), S208(1) & (2)

Warning: Enter text in spaces provided only. This form will be invalid if you remove or change any questions or other text.

Use this form for giving notice to landlord/agent of breach of duty because:

- the premises are not suitable for occupation.
- you have not been allowed quiet enjoyment of the premises.
- the premises have not been maintained in good repair.
- a replacement water appliance does not meet the prescribed minimum rating.
- locks have not been provided.
- keys have not been provided.

How to use this form

1. Identify your reason

Carefully read the reasons on the back of this page. These are all the breaches of duty specified in the Act under which a duty arises and for which you can give a breach of duty notice. Select the correct reason.

The number beside each reason is the relevant section of the Act. You should consult S207 and S208(1) of the Act to make sure that you are entitled to give a notice.

2. Complete questions 1 to 7

You must complete all boxes.

3. Sign at 8 and write your name at 9

4. Write your reason in 10

In box 10, write the section number and the exact words given to you on the back of this page.

5. Complete 11

Give details of the loss or damage caused by the breach

6. Write what you require in 12

Write exactly what you want the landlord/agent to do to remedy the breach or the amount of compensation you require if they do not remedy it. The amount of compensation you seek should reflect the amount or value of the loss or damage that you have described at 11.

7. Attachments

For some reasons you must provide evidence or receipts. If you are providing them, attach them to the notice and tick the 'yes' box in 14.

8. When the form is complete

Send the Landlord's copy of this form to the landlord.

Keep the last two copies of the form for your records. If the landlord does not comply, you can send one of these copies to the Victorian Civil and Administrative Tribunal (VCAT) with an application to hear your case.

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 131 450 (بكلية مكاملة محلية) واطلب أن يوصلوك بموظف معلومات في دائرة شؤون المستهلك في فكتوريا على الرقم 1300 55 81 81.

Turkish İngilizce anlamakta güçlük çekiyorsanız, 131 450'den (şehir içi konuşma ücretine) Yazılı ve Sözlü Tercümanlık Servisini (TIS) arayarak 1300 55 81 81 numaralı telefondan Victoria Tüketici İşleri'ni aramalarını ve sizi bir Danışma Memuru ile görüşturmelerini isteyiniz.

Vietnamese Nếu quý 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 xiriiir Adeega Tarjumida iyo Afcelinta (TIS) telefoonka 131 450 (qiimaha meesha aad joogto) weydiisuna in lagugu xiro Sarkaalka Macluumaadka ee Arrimaha Macmilaha 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 (祇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 Ako vam je teško da razumete engleski, nazovite Službu prevodilača i tumača (Translating and Interpreting Service - TIS) na 131 450 (po cenu lokalnog poziva) i zamolite ih da vas povežu sa Službenikom za informacije (Information Officer) u Viktorijskoj Službi za potrošačka pitanja (Consumer Affairs Victoria) na 1300 55 81 81.

Amharic ከግለሰብ ጋር ተገናኝ ለመረዳት ችግር ካለብዎ የአስተርጓሚ አገልግሎት (TIS) በስልክ ቁጥር 131 450 (በአካባቢ ጥሪ ሂሳብ) በመደወል በስክሪን ላይ የተጻፉት ጉዳይ ጽ/ቤት በስልክ ቁጥር 1300 55 81 81 ደውሎ ከመረጃ አቅራቢ ሠራተኛ ጋር አገዳዥነት መጠየቅ።

Dari

اگر شما مشکل دانستن زبان انگلیسی دارید، با اداره خدمات ترجمانی تحریری وشفاهی (TIS) به شماره ۱۳۱ ۴۵۰ به قیمت مخابره محلی تماس بگیرید. وخواهید که شما را به کارمند معلومات دفتر امور مراجعین ویکتوریا به شماره ۱۳۰۰ ۵۵ ۸۱ ۸۱ ارتباط دهد.

Croatian Ako ne razumijete 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 (TIS) 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 essere messi in comunicazione con un operatore addetto alle informazioni del dipartimento "Consumer Affairs Victoria" al numero 1300 55 81 81.

Notice for breach of duty to landlord of rented premises

Reasons to use in question 10

65—not suitable for occupation

The premises were not vacant.

and/or

The premises were not in a reasonably clean condition on the agreed day of occupation.

67—not allowed quiet enjoyment

You have not taken all reasonable steps to ensure that I have quiet enjoyment of the premises.

68—not in good repair

You have not maintained the premises in good repair.

69 – replacement water appliance not to standard

You have provided a replacement water appliance that does not meet the prescribed minimum rating.

Please note – the prescribed minimum rating is three stars under the Water Efficiency Labelling and Standards (WELS) scheme, except in certain limited circumstances.

70(1)—not provided locks

You have not provided locks to secure all external doors and windows of the premises.

70(2)—not provided key(s)

You have changed the lock on an external door or window and have not provided me with a key.

How to serve this notice

You can serve this notice by hand, ordinary post or registered post

If you send a notice by ordinary or registered post, you must take into account the extra days it takes for the notice to be given. For ordinary post this usually means at least one business day after the notice was posted. For registered post this usually means at least two business days after the notice was posted.

For more information refer to *Renting a home: a guide for tenants* available from Consumer Affairs Victoria at consumer.vic.gov.au/renting.

Notice for breach of duty to landlord of rented premises

Landlord's copy

Landlord details

1. This notice is given to: *(landlord/s names)*

--

2. Landlord's address: *(can be an agent's)*

--

Tenant details

3. Tenant name/s:

--

4. Regarding the rented premises at: *(write address)*

--

5. Address for serving documents:
(if the same as in 4, write 'as above')

--

6. Contact telephone numbers:

Business hours:	()
After hours:	()

Service details

7. This notice is given:

by hand:	
by registered post:	
by ordinary post:	
on (date):	/ /

8. Signature of tenant

--

9. Name of tenant signing this notice

--

Reason for breach of duty notice

10. I believe you have breached your duty as a landlord because: *(write the section number and words from the section 'Reasons to use in question 10')*

--

11. The loss or damage caused is:

--

12. Compensation or compliance required

I require you to remedy the breach within 14 days after receiving this notice by:

--

or pay me compensation of: (\$)

--

13. You must not commit a similar breach again.

If you do not comply with this notice:

- the tenant may apply to VCAT for a compensation or compliance order, or
- if S240 applies, the tenant may give you notice of intention to vacate.

14. Details are attached to this notice
(e.g. receipts, other evidence)

yes:	
no:	

Landlord please note

If you need help with this notice, call the Consumer Affairs Victoria Helpline on 1300 55 81 81 or visit consumer.vic.gov.au/renting.

Notice for breach of duty to landlord of rented premises

Tenant's copy

Landlord details

1. This notice is given to: *(landlord/s names)*

--

2. Landlord's address: *(can be an agent's)*

--

Tenant details

3. Tenant name/s:

--

4. Regarding the rented premises at: *(write address)*

--

5. Address for serving documents:
(if the same as in 4, write 'as above')

--

6. Contact telephone numbers:

Business hours:	()
After hours:	()

Service details

7. This notice is given:

by hand:	
by registered post:	
by ordinary post:	
on (date):	/ /

8. Signature of tenant

--

9. Name of tenant signing this notice

--

Reason for breach of duty notice

10. I believe you have breached your duty as a landlord because: *(write the section number and words from the section 'Reasons to use in question 10')*

--

11. The loss or damage caused is:

--

12. Compensation or compliance required

I require you to remedy the breach within 14 days after receiving this notice by:

--

or pay me compensation of: (\$)

--

13. You must not commit a similar breach again.

If you do not comply with this notice:

- the tenant may apply to VCAT for a compensation or compliance order, or
- if S240 applies, the tenant may give you notice of intention to vacate.

14. Details are attached to this notice
(e.g. receipts, other evidence)

yes:	
no:	

Landlord please note

If you need help with this notice, call the Consumer Affairs Victoria Helpline on 1300 55 81 81 or visit consumer.vic.gov.au/renting

Notice for breach of duty to landlord of rented premises

Tenant's copy

Landlord details

1. This notice is given to: *(landlord/s names)*

--

2. Landlord's address: *(can be an agent's)*

--

Tenant details

3. Tenant name/s:

--

4. Regarding the rented premises at: *(write address)*

--

5. Address for serving documents:
(if the same as in 4, write 'as above')

--

6. Contact telephone numbers:

Business hours:	()
After hours:	()

Service details

7. This notice is given:

by hand:	
by registered post:	
by ordinary post:	
on (date):	/ /

8. Signature of tenant

--

9. Name of tenant signing this notice

--

Reason for breach of duty notice

10. I believe you have breached your duty as a landlord because: *(write the section number and words from the section 'Reasons to use in question 10')*

--

11. The loss or damage caused is:

--

12. Compensation or compliance required

I require you to remedy the breach within 14 days after receiving this notice by:

--

or pay me compensation of: (\$)

--

13. You must not commit a similar breach again.

If you do not comply with this notice:

- the tenant may apply to VCAT for a compensation or compliance order, or
- if S240 applies, the tenant may give you notice of intention to vacate.

14. Details are attached to this notice
(e.g. receipts, other evidence)

yes:	
no:	

Landlord please note

If you need help with this notice, call the Consumer Affairs Victoria Helpline on 1300 55 81 81 or visit consumer.vic.gov.au/renting