# A Notice to vacate

## For renters who have signed a ****Residential rental agreement****

### An Easy Read guide for you

## How to use this guide

Consumer Affairs Victoria (CAV) wrote this guide. When you see the word ‘we’, it means CAV.

We have written this guide in an easy to read way.

We have written some words in **bold**.

We explain what these words mean.

There is a list of these words on page 10.

This Easy Read guide is a summary of a notice.

You can find the notice on our website at [www.consumer.vic.gov.au/sda](http://www.consumer.vic.gov.au/sda)

You can ask for help to read this guide.

A friend, family member or support person may be able to
help you.

## What’s in this guide?

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## What is this guide about?

This guide is about a notice from your **rental provider**.

Your rental provider is the person who owns the home you live in.

The notice is called a **Notice to vacate***.*

When you **vacate** your home, you move out.

Your rental provider gives you this notice if they want you to vacate your home.

You need to read the notice carefully.

The notice talks about:

* the reason you need to move out
* what you need to do
* how much time you have to move out.

## Why do you need to vacate your home?

There are lots of reasons why a rental provider might give their **renter** the notice.

You are the renter if you pay money to live in a home that someone else owns.

We have a law in Victoria that talks about the reasons a rental provider can give when they tell you that you must move out.

The law is called the Residential Tenancies Act 1997 (the Act).

This law protects the rights of:

* renters
* rental providers.

When your rental provider gives you their reasons, they also say how much time you have to move out.

You might be told to move out straight away.

You might be told to move out within:

* 14 days
* 28 days
* 60 days
* 90 days
* 120 days.

On the following pages, we explain:

* your rental provider’s reasons for telling you to move out
* how much time your rental provider must give you to move out.

Each reason has a number.

This number is about the part of the law the reason comes from.

The reasons can also come from your **Residential rental agreement**.

Your Residential rental agreement is a written agreement between you and your rental provider.

It explains the rules you must follow when you live in the rental provider’s home.

### You must move out straight away

Here is a list of reasons your rental provider can give you for moving out straight away.

91ZI – you have damaged the home on purpose.

91ZJ – you have put your neighbours in danger.

91ZL – the home is not safe for you or anyone else to live in.

### You must move out within 14 days

Here is a list of reasons your rental provider can give you for moving out within 14 days.

91ZM – you owe more than 14 days of **rent** – how much you must pay to live in the home and how often you must pay it.

91ZN – you haven’t paid your **bond** – money you pay before you can move in.

91ZO – you didn’t do what an order from the **Victorian Civil and Administrative Tribunal (VCAT)** told you to do.

VCAT helps solve legal problems for people in Victoria in a way that is quick and fair.

91ZP – your rental provider gave you 2 **Breach of duty notices and the breach happened a third time**.

A **Breach of duty notice is like a formal complaint.**

It explains:

* what the issue is
* how it needs to be fixed.

Issues can include:

* not keeping your home clean
* damaging your home
* not paying your rent on time.

91ZQ – you did something in the home that is against the law.

91ZT – you have a child living in the home, but you aren’t allowed to.

91ZU – you have given information to an organisation that isn’t true.

This organisation supports the government to work out if you can be one of their renters.

91ZV – you have let another renter move in, but you didn’t ask the rental provider first.

91ZW – your rental provider wants to live in the home.

### You must move out within 28 days

Here is a list of reasons your rental provider can give you for moving out within 28 days.

91ZZG – the renter has a pet in the home and VCAT has said the pet is not allowed at the home.

### You must move out within 60 days

Here is a list of reasons your rental provider can give you for moving out within 60 days.

91ZZK – the rental provider borrowed money to buy the home and the money lender needs to take over.

91ZX – the home needs work that can’t be done while you are
living there.

91ZY – the home needs to be knocked down.

91ZZ – the rental provider wants to do something different with the home.

91ZZA – your rental provider or a member of their family wants to live in the home.

91ZZB – your rental provider wants to sell the home, or it has already been sold.

91ZZC – an organisation that does work to support the government needs to use the home.

91ZZD – your Residential rental agreement is for less than 6 months.

### You must move out within 90 days

Here is a list of reasons your rental provider can give you for moving out within 90 days.

91ZZD – your Residential rental agreement:

* lasts for between 6 months and 5 years
* ends on the date set in the notice.

91ZZDA – your Residential rental agreement:

* lasts for more than 5 years
* ends on the date set in the notice.

91ZZE – your rental provider is an organisation that does work to support the government and you can’t be one of their renters.

### You must move out within 120 days

Here is a list of reasons your rental provider can give you for moving out within 120 days.

322 – VCAT has made an order that you must move out
within \_ \_ \_ days.

91ZZM – the rental provider doesn’t have the right licence to run a rooming house.

**You must move out by the date given in the notice to vacate**

91N – the only renter that lived in the home died.

If this happens, your rental provider will give the notice to:

* your legal representative
* a member of your family.

## Sending the notice

Your rental provider can give you the notice:

* in person
* in the mail
* by email.

If your rental provider sends the notice by mail, it’s a good idea to use Registered Post.

This means you must sign for the notice when it comes in the mail.

Your SDA provider can only send you the notice by email if you have said it is ok.

You might have said it is ok:

* in your Residential rental agreement
* in writing at another time.

## Word list

**Bond**

Your bond is money you pay before you can move in.

**Breach of duty notice**

A Breach of duty notice is like a formal complaint. It explains:

* what the issue is
* how it needs to be fixed.

**Rental provider**

Your rental provider is the person who owns the home.

A rental provider used to be called a landlord.

**Notice to vacate**

Your rental provider gives you this notice if they want you to vacate your home.

**Rent**

How much you must pay to live in the home and how often you must
pay it

**Residential rental agreement**

Your Residential rental agreement is an agreement between you – the renter – and your rental provider.

A Residential rental agreement used to be called a Residential tenancy agreement or lease.

**Renter**

You are the renter if you pay money to live in a home that someone
else owns.

A renter used to be called a tenant.

**Vacate**

When you vacate your home, you move out.

**Victorian Civil and Administrative Tribunal (VCAT)**

VCAT helps solve legal problems for people in Victoria in a way that is quick and fair.

## Contact us

**1300 40 43 19**

The cost is the same as a local call.

If you speak a language other than English, please contact TIS – Translating and Interpreting Service.

**131 450**

Ask to talk to an Information Officer at Consumer Affairs Victoria on
**1300 40 43 19**

TTY

If you use textphone or modem, call the National Relay Service.

**133 677**

Give them our number – **1300 40 43 19**

If you use Speech to Speech Relay call **1300 555 727**

Give them our number – **1300 40 43 19**

Website – [www.consumer.vic.gov.au](http://www.consumer.vic.gov.au)

Facebook – [/ConsumerAffairsVictoria](https://www.facebook.com/ConsumerAffairsVictoria)

Twitter – [@consumervic](https://twitter.com/consumervic)

YouTube – [www.youtube.com/user/consumervic](https://www.youtube.com/user/consumervic)

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