Queensland Government

Fortitude Valley Housing Service Centre
Level 7
515 St Pauls Terrace
Fortitude Valley QLD 4006

Contact Name: Richard
Telephone: (07) 3034 6500

23 February 2022

Mr David Barker
5/25 Waverley Rd
Taringa QLD 4068

Tenancy Reference Number: 191264

Dear Mr Barker,

You need to move out of 5/25 Waverley Rd, Taringa by 9 March 2022

On 2 February 2022 we sent you a letter explaining how you were breaching (not complying with) your tenancy agreement and what you needed to do if you wanted to stay in your home.

As you have not resolved these issues and are still breaching your tenancy agreement, you will need to leave your home by 9 March 2022.

If you would like further information about how we made the decision and what this means for you, or you believe the decision is unreasonable, please contact us. If, after talking to us, you still believe the decision is unreasonable, you can ask us to reconsider this decision. Please tell us any other information you think we should consider.

What should I do before I move out?

1. **Please remove your belongings and clean the property** – attached is a cleaning checklist. If you don't clean before you move out, you may be charged for cleaning. We can inspect your property before you move out to check if any further work is required to help minimise any charges.

2. **As required by legislation, please provide us your forwarding address** – you can contact us on the number above or visit us.

3. **Please make sure you have paid your rent up to 9 March 2022** – you can check your rent balance by logging into the Tenancy Assist App on your mobile phone or by contacting us.

Privacy Notice

The Department of Housing and Public Works collects and retains personal information, so we may provide you with housing assistance. This information may be disclosed between partner agencies, service providers, local governments and non-governmental organisations that may be able to provide you with housing or support services. Unless authorised or required by law, your personal information will not otherwise be disclosed to any other third party without your consent. More information about the Department's privacy policy is available on our website at www.hpw.qld.gov.au.

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4. **Please return your keys to your Housing Services Centre on or before 9 March 2022** – if you do not return your keys by this date, you may be charged rent until they are returned.

If you have any questions, please call or visit your nearest Housing Service Centre.

We thank you for your cooperation.

Yours sincerely

Richard Vaughan
Senior Customer Service Manager
Fortitude Valley Housing Service Centre

Some questions you may have

What happens if I don't move out by 9 March 2022?
We can apply through the Queensland Civil and Administrative Tribunal (QCAT) for an order to have you removed.

What if I still owe money when I move out?
We will send you a letter about how much you owe and your repayment options.

How do I cancel my Rent Deduction Scheme payments?
Your Rent Deduction payments will be automatically cancelled once your keys have been returned and your tenancy is ended.

What if I don't move everything out?
Any items left behind will be dealt with in accordance with the *Residential Tenancies and Rooming Accommodation Act 2008.* This may mean that your belongings are disposed of, stored for 30 days or an order is requested from QCAT to dispose of your belongings.

What if I don't clean before I move out?
We will inspect the property to make sure it is clean and free of damage once you have moved out. If the property has unfair wear and tear, or is not clean, you may be charged a fee.

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Notice to leave (Form 12)

Residential Tenancies and Rooming Accommodation Act 2008
(Sections 277, 281–291, 317, 326, 329 and 330)

rta residential tenancies authority

1 Address of the rental property

5/25 Waverley Rd		
Taringa	Postcode	4068

2 Notice issued by ☐ Agent ☐ Lessor

Full name/trading name

Department of Communities, Housing and Digital Economy	Phone (07) 3034 6500

3 Notice issued to

Full name/s

1.	David Barker
2.	
3.	

4 Notice issued (see overleaf for grounds/reasons)

☐ without grounds

☑ with grounds (provide details)

Unremedied breach in relation to failing to keep the internal and external areas of the premises and inclusions clean as stated in your State Tenancy Agreement. Notice to Remedy Breach issued on 2 February 2022 and expired on 16 February 2022. There continues to be a large amount of rubbish at your premies.

5 Notice issued on

Day	Date	Method of issue (e.g. email, post, in person)
Wednesday	23/02/22	In Person

6 Tenant/s must vacate the property by midnight on

Day	Date	
Wednesday	09/03/22	(minimum notice periods apply – see overleaf)

7 Signature of the lessor or agent issuing this notice

Print name	Signature	Date
Department of Communities and Housing		23/02/22

The lessor/agent gives this notice to the tenant/s when they want them to vacate the property by a certain date.

Information about tenants' rights and obligations are included in the tenancy agreement.

There may be one of several reasons (grounds) for giving the notice. If the tenant/s dispute the reason given, they should try to resolve the matter with the lessor/agent first. If agreement cannot be reached, the RTA's dispute resolution service may be able to assist – visit rta.qld.gov.au or phone 1300 366 311.

If the tenant/s do not leave the property by the date nominated in item 6, the lessor/agent may apply directly to the Queensland Civil and Administrative Tribunal (QCAT) for a termination order without further notice to the tenant. The lessor/agent must submit an application to QCAT within two weeks of the handover date (see item 6 above).

If QCAT makes a termination order, it must also issue a warrant of possession of the property in the lessor/agent's favour. Tenants cannot be evicted without a warrant of possession of the property.

When serving notices by post, the sender must allow time for the mail to arrive when working out notice periods.

Do not send to the RTA—give this form to the tenant/s and keep a copy for your records.

Notice to leave (Form 12)

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Minimum notice periods

Grounds (reasons)	General tenancy	Moveable dwellings (long-term agreement)	Moveable dwellings (short-term agreement)
Unremedied breach – rent arrears	7 days	2 days	2 days
Unremedied breach – general	14 days	2 days	2 days
Non-compliance with QCAT order	7 days	7 days	2 days
Non-compliance (moveable dwelling relocation)	n/a	2 days	2 days
Non-liveability	The day it is given	The day it is given	The day it is given
Compulsory acquisition	2 months	2 months	2 days
Sale contract (periodic agreement)	4 weeks	4 weeks	2 days
Voluntary park closure	n/a	3 months	2 days
Compulsory park closure	n/a	The day it is given	The day it is given
Employment termination	4 weeks	4 weeks	2 days
Ending of accommodation assistance	4 weeks	4 weeks	2 days
Ending of housing assistance	1 month	2 months	2 days
Mortgagee in possession (depending on whether mortgagee has/hasn't consented to the tenancy)	2 months	2 months	2 months
Death of a sole tenant (parties can agree on an earlier date)	2 weeks	2 weeks	2 weeks
Serious breach (public housing or community housing)	7 days	n/a	n/a
Without grounds*	Periodic – 2 months Fixed term – Later of 2 months or the day the agreement ends	Periodic – 2 months Fixed term – Later of 2 months or the day the agreement ends	2 days

*Parties can agree to end earlier but it must be agreed in writing.

Grounds for which this notice may not be used

Failure to leave as intended	By QCAT order	By QCAT order	By QCAT order
Excessive hardship	By QCAT order	By QCAT order	By QCAT order
Damage	By QCAT order	By QCAT order	By QCAT order
Injury	By QCAT order	By QCAT order	By QCAT order
Objectional behavior	By QCAT order	By QCAT order	By QCAT order
Incompatibility	By QCAT order	By QCAT order	By QCAT order
Repeated breaches by tenant	By QCAT order	By QCAT order	By QCAT order
Abandonment	7 days^ or by QCAT order	7 days^ or by QCAT order	7 days^ or by QCAT order
Nuisance	By QCAT order	By QCAT order	By QCAT order

^An *Abandonment termination notice* is used when the lessor/agent wants to end a tenancy agreement because they believe the property has been abandoned.