

Notice of termination - end of agreement

(for use by park owner)

Residential Parks Act 2007

Form C

To:

(insert name of resident)

of:

(insert address of rented property)

I hereby give you notice that your agreement will come to an end on:/...../.....
(insert end date)

(Tick appropriate box below)

	Circumstances	Minimum valid notice period
	Periodic tenancy agreements – due to sale of the property (see note 1 on page 2)	28 clear days or a single period of the tenancy (whichever is longer)
	Periodic tenancy agreements – no specific reason	60 clear days or a single period of the tenancy (whichever is longer)
	Periodic site agreements – no specific reason – where the resident has lived in the park for less than 5 years	90 clear days
	Fixed term tenancy agreements	28 clear days before the end date of the agreement
	Fixed term site agreements – where the resident has lived in the park for less than 5 years	28 clear days before the end date of the agreement

'Clear days' does not include the day the resident receives or is expected to receive this notice.

Note* When a resident has lived in the park for 5 years or more and their site agreement is due to expire, the agreement must be reviewed and reissued with the same terms and conditions or with new conditions as agreed by both parties.

Park owner's signature:

Park owner's contact details:

Date:/...../.....



NB: If two or more persons are residents under an agreement, the notice can be given to any one of them.

This notice was served on/...../..... by:

personally handing it to the resident

☐ mailing it to the resident

placing it in the resident's letterbox

other - *please specify*

GENERAL INFORMATION FOR RESIDENTS AND PARK OWNERS

1. Section 59(1) of the Act provides:

"A park owner may, by notice of termination given to the resident, terminate a periodic tenancy agreement on the ground that the park owner –

- (a) has entered into a contract for the sale of the rented property or the dwelling comprised in the rented property; **and**
- (b) is required under the contract to give vacant possession of the rented property or the dwelling ..."

2. Sections 60 and 71 of the Act provide that a park owner may, by notice of termination given to the resident, terminate a residential park agreement for a periodic tenancy without specifying a ground of termination, unless the resident has a site agreement and has lived in the park for 5 years or more. However, an agreement cannot be terminated under these sections if an order is in force under section 22 in respect of the rented property or proceedings for such an order have been commenced.

3. Section 22 provides that within 30 days of receiving a notice of a rent increase, a resident can make an application to the South Australia Civil & Administrative Tribunal (SACAT) for an order that the proposed rent increase is excessive.

4. When the resident vacates the rented property, they should:

- leave it in a reasonable condition and in a reasonably clean state. If it is not, the park owner may recover from the bond, or from the resident directly, the costs of cleaning the rented property, removing any rubbish, and so on;
- provide their forwarding address to the park owner, as set out in Section 89 of the *Residential Parks Act 2007* (the Act);
- ensure that they leave any keys or devices that have been provided to them at the beginning of the agreement with the park owner;
- if necessary, notify the electricity, gas, and telephone companies, etc so that any new residents do not use gas, electricity and the telephone on the former resident's accounts.

5. If possible, agree on how the bond should be refunded. If you do agree, both of you should complete and sign the residential park bond refund form and lodge it with Consumer & Business Services. Make sure that the resident's forwarding address is included on the form so that all or part of the bond, or any future correspondence, can be sent to them. If an agreement cannot be reached, contact Consumer and Business Services on 131 882.

You should retain a copy of this notice.

