



Australian Capital Territory

Residential Tenancies Regulations

Subordinate Law No. 17 of 1998¹

The Australian Capital Territory Executive makes the following Regulations under the *Residential Tenancies Act 1997*.

Dated 27 May 1998.

BRENDAN SMYTH
Minister

GARY HUMPHRIES
Minister

1. Citation

These Regulations may be cited as the *Regulations*.

2. Commencement

These Regulations commence, or shall be taken to have commenced, on the day on which section 3 of the *Residential Tenancies Act 1997* commences or commenced, as the case requires.

3. Interpretation

In these Regulations, unless the contrary intention appears—
“Act” means the *Residential Tenancies Act 1997*.

4. Interest

For the purposes of paragraph 28 (1) (b) of the Act, the purposes referred to in paragraphs 28 (2) (a) to (e) (inclusive) of the Act are prescribed.

5. Service of termination notice

For the purposes of paragraphs 58 (1) (b) and 59 (1) (b) of the Act, a termination notice shall be served—

- (a) on a natural person—
 - (i) by delivering it to the person personally;
 - (ii) by leaving it at, or sending it by pre-paid post to, the address of the place of residence or business of the person last known to the person serving the document; or
 - (iii) by leaving it at, or sending it by pre-paid post to, the address for service provided by the person under clause 98 of the prescribed terms; or
- (b) on a body corporate—by leaving it at, or sending it by pre-paid post to, the head office, a registered office or a principal office of the body corporate.

6. Application for resolution of dispute

For the purposes of paragraph 73 (2) (b) of the Act, the following particulars are prescribed:

- (a) the name and address of the applicant;
- (b) whether the applicant is the lessor or tenant;
- (c) the address of the premises that are the subject of the residential tenancy agreement;

- (d) the action sought by the applicant to be taken to facilitate the resolution of the dispute;
- (e) the grounds on which the application is made.

7. Commencement and record of mediation

(1) An approved mediator to whom a tenancy dispute is referred under section 75 of the Act shall—

- (a) commence mediation of the dispute as soon as practicable after the referral; and
- (b) keep a record of the mediation that contains the following particulars:
 - (i) whether the parties to the dispute participated in mediation;
 - (ii) whether the parties reached agreement;
 - (iii) if the parties reached agreement, with the written consent of the parties—the terms of the agreement.

(2) At the conclusion of mediation the approved mediator shall provide the record referred to in paragraph (1) (b) to the Registrar.

8. Form of termination notice

A termination notice shall be in accordance with the form in the Schedule.

SCHEDULE

Regulation 8

TERMINATION NOTICE

Residential Tenancies Act 1997

TO:

[Insert name/s of tenant/s]

TAKE NOTICE that in relation to the residential tenancy of the premises situated at:

[Insert address]

NOTICE IS GIVEN THAT:

I/we intend to apply to the Residential Tenancies Tribunal for a termination and possession order requiring you to vacate the premises if you do not—

- * vacate the premises on or before the day of 19 (see section 47 or, in relation to a successor in title, section 64);
- * remedy the breach of the prescribed terms alleged within days/weeks of the date of service of this notice on you or undertake to remedy the breach within a reasonable period specified by you (see section 48);
- * pay the rent due and payable within days/weeks of the date of service of this notice on you (see section 49); or
- * take appropriate action to ensure that the purported assignee/s or sublessee/s vacate/s the premises (see section 54).

** Strike out whichever is inapplicable*

NOTE

Notification

1. Notified in the ACT Gazette on 28 May 1998.