

Tenants have rights

Moving out



Easy Read

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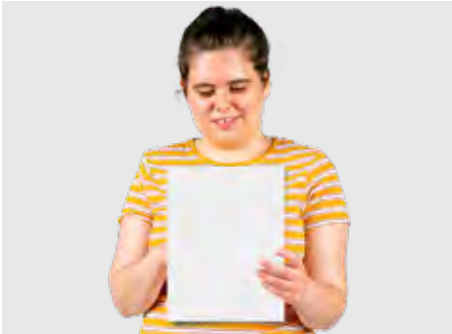
This information is only an info guide.

You should not use it instead of legal advice.

Legal advice is when you speak to someone like a lawyer about your rights.

This information is only meant for people who live in NSW.

Moving out

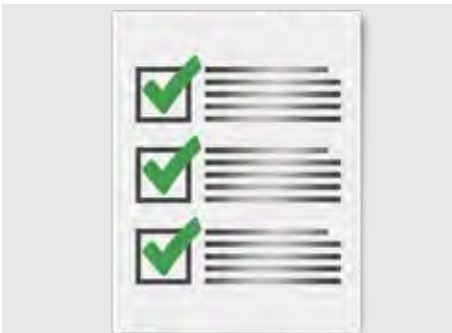


This info sheet tells you what you need to know if you are moving out of a place you rent.



There are laws that say what your rights are as a tenant in NSW.

A **tenant** is someone who rents a house or unit to live in.



This info sheet tells you

- What you need to do when you move out
- Where to get help if there are issues
- What the landlord needs to do



The **landlord** is the person who owns the place you are renting.

Check your tenancy agreement



It is important to know what kind of tenancy agreement you have if you want to move out.



The **tenancy agreement** says what the rules are for you and the landlord.



There are 2 kinds of tenancy agreements

1. Fixed term agreements are for a set time like 9 months or 1 year



2. Ongoing periodic agreements do not have a date that they finish.

Termination notice

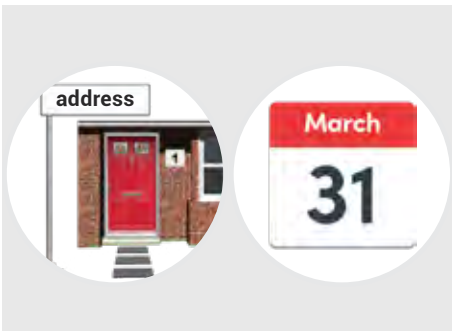


The landlord must write to you if they want you to move out.



You must also write to the landlord if you want to move out.

This is called a **termination notice**.

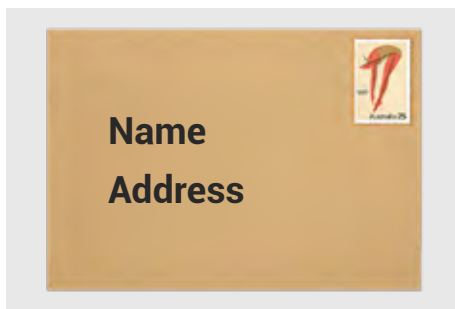


The termination notice must have

- The address of the place you rent
- The date you will move out



The termination notice must be signed by you or the landlord.



It must be in an envelope with the name and address of the person it is for on it.

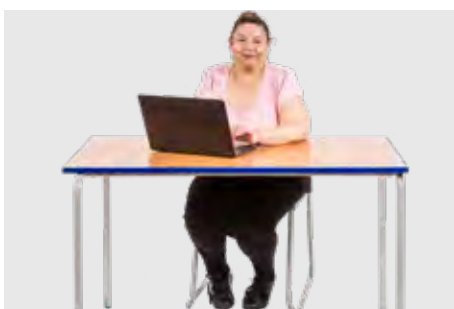


You can

- Send it by post
- Drop it in their mailbox
- Give it to the person



You can send the termination notice by email if the landlord says it is ok.



Ask the landlord or agent to give you the right email address to send it to.



Make sure an email without a signature is ok.



Keep a copy of the termination notice.

Write down when you sent it or when you got it.



You can change your mind after you send the termination notice.



You need to let your landlord know.



The landlord might not be ok with you changing your mind.

Your bond



Bond is money that NSW Fair Trading keeps for you until you move out.

NSW Fair Trading look after the bonds of all tenants.

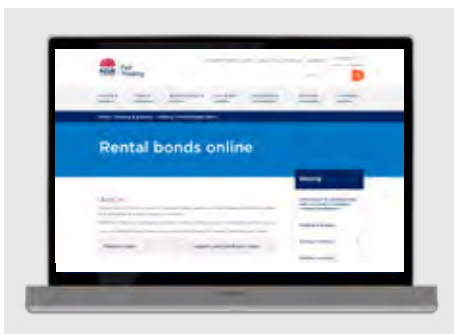


The landlord can use some or all of the money

- To fix things that you broke when you lived there
- If you stop paying rent



You can ask for your bond back after you move out and give back the keys.



You can ask for your bond back online at
www.fairtrading.nsw.gov.au/housing-and-property/renting/rental-bonds-online

This website is not in Easy Read.

You can also fill in a form to ask for your bond back.

It is called **claim for refund of bond money**.



The form is from NSW Fair Trading.

You can get it

- From their website
www.bit.ly/claim-for-bond
- From your landlord or agent



The **agent** is the person who looks after the place for the landlord.



You can agree with the landlord or agent about how much bond you get back.



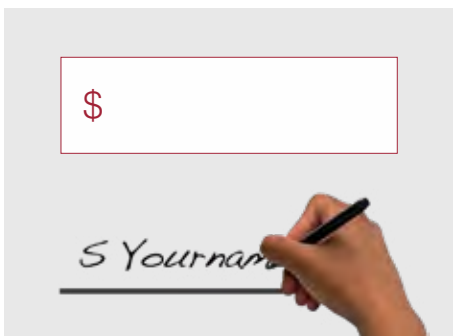
You can talk to a tenants service if you do not agree with your landlord or agent.

Tenant services are called **TAAS** for short.



To find a TAAS near you go to

www.tenants.org.au/get-advice



Write the bond amount you will get back in the form when you fill it in.

You and the landlord must both sign the form.



Send the form to NSW Fair Trading by post or email.

You can also drop it off.

When the landlord wants you to move



There are different rules for when the landlord can ask you to move out.



They do not have to say why they want you to move out.



If you have a fixed term agreement

They must tell you 30 days before the end date.



They can only ask you to move out before the end date if

- You did not stick to the tenancy agreement
- They go to the Tribunal



Tribunal is short for NSW Civil and Administrative Tribunal.

They sort out issues between tenants and landlords.



If you have an ongoing periodic agreement

The landlord must tell you 90 days before they want you to move out.



They only have to tell you

- 30 days before if they sold the place
- 14 days before if you did not stick to the tenancy agreement

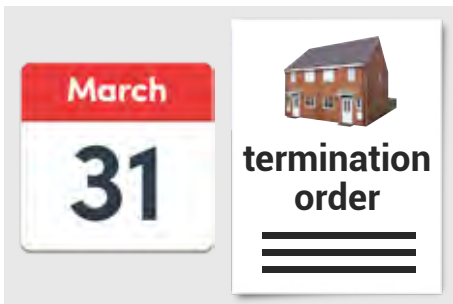


Termination order

If you do not move out the day the termination notice says the landlord can go to the Tribunal.



The Tribunal can give them a termination order.



The **termination order** says that your tenancy agreement is over.

It will tell you the date when you need to move out.



Only the Sheriff can use the termination order to get you to move out.



It is not ok for anyone else to try to get you to move or lock you out.

They can get a big fine.

If you want to move out



If you want to move out check first what kind of tenancy agreement you have.

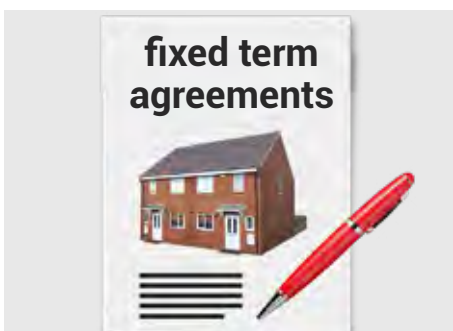


If you have an ongoing periodic agreement

You must tell the landlord at least 21 days before you want to move out.



You might be able to move out earlier if the landlord did not stick to the tenancy agreement.



If you have a fixed term agreement

If you want to move out **before** the end date you might have to pay your landlord a fee.

This is called a **break fee** or **compensation**.



Sometimes you can move out earlier and not pay the fee.



It might be good to talk to a TAAS about this.



If you want to move out at the end date you must tell the landlord

- 14 days before you want to move
- At the latest on the end date



After the end date your fixed term agreement becomes an ongoing periodic agreement.

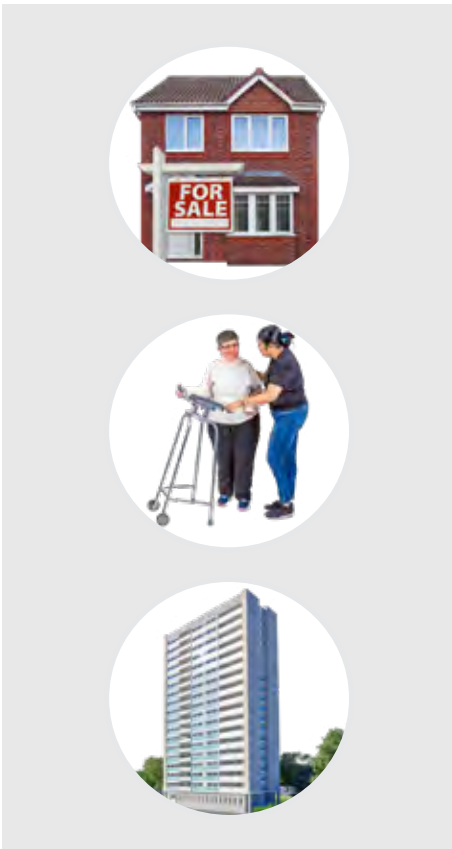


You then must tell your landlord 21 days before you want to move out.

Times when you can move out quicker



There are times when it is ok to move out quicker.



You only have to tell the landlord 14 days before if

- They did not tell you they want to sell the place when you moved in
- You are moving into aged care
- You are moving into social housing.



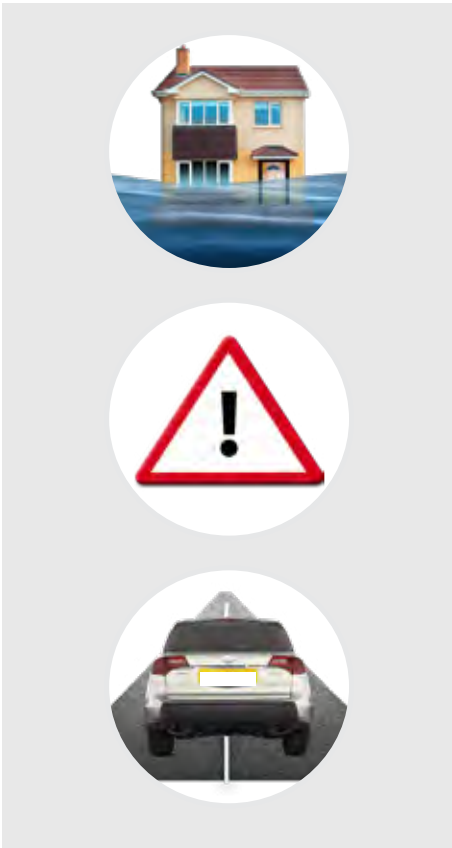
You can move out on the day you say.

You do not have to pay the landlord a fee for moving out earlier.



If you can no longer live in the place

There are some times when you can tell your landlord you need to move out right away.



This could be because

- Of things like a flood or fire
- It is no longer safe or ok to use the place for people to live in
- The government bought the land to build something there like a road.



Talk to a TAAS first before you move out.

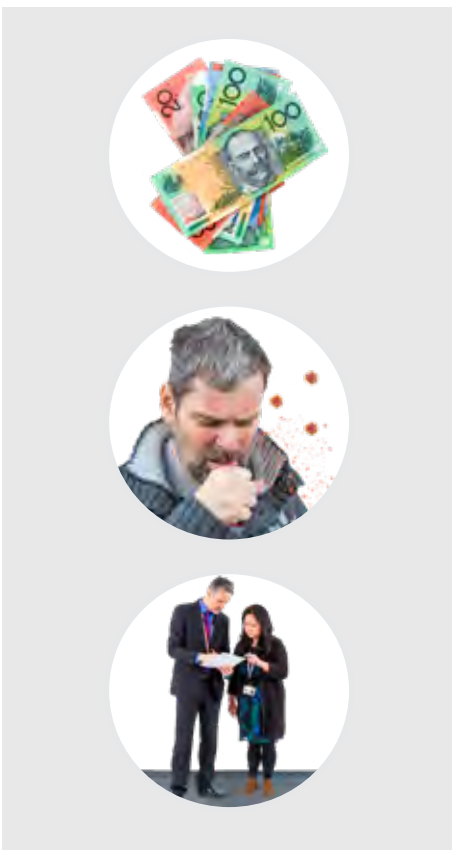


If paying rent is too hard

You can ask the Tribunal to end your tenancy agreement if paying the rent gets too much for you.



The Tribunal will look into your issue.



They might want to know more about

- How much money you have
- Your health
- What this will mean for the landlord.



Domestic violence

You can move out quicker if you are not safe in your place because of domestic violence.



Domestic violence means someone in your home hurts you or does bad things to you.



If you are not safe where you live

- Call the police on **000**
- Call the Domestic Violence Helpline on **1800 656 463**



To find out what you can do about your rent when you are not safe in your home

- Talk to the Domestic Violence Legal Service **1800 810 784**
- Find a Community Legal Centre **www.clcs.org.au**

More info and help



For more info sheets about renting go to our website

www.tenants.org.au



To find a TAAS near you go to

www.tenants.org.au/get-advice



If you need help in your language call

131 450.



To contact NSW Fair Trading

- Call them on **133 220**
- Go to their website
www.fairtrading.nsw.gov.au

Council for Intellectual Disability made this document Easy Read. **CID** for short. You need to ask CID if you want to use any pictures in this document. You can contact CID at **business@cid.org.au**.