

RESIDENTIAL TENANCIES ACT 1987

NOTICE BY TENANT OF TERMINATION

TO:
(Name of Owner)

I hereby give you notice that I intend to deliver up vacant possession of the premises at:

.....
.....
(Address of Premises)

on at am/pm
(date on which tenant intends to vacate premises)

The reason for termination is
.....
.....
.....
.....

The period of notice given in accordance with Section 68 or 69 is
.....

Date: Signed:
(Tenant)
Address:
.....

NOTE: See over for sections of the Act regarding termination.

This notice must be given to the owner in a manner set out in Section 85 of the Residential Tenancies Act.

SECTION 67

Form of notice of termination by tenant

67. Notice of termination of an agreement by the tenant shall—
- (a) be in writing;
 - (b) be signed by the tenant and identify the premises the subject of the agreement; and
 - (c) specify the day on which the tenant will deliver up possession of the premises.

SECTION 68

Notice of termination by tenant

68. (1) A tenant may give notice of termination of an agreement to the owner without specifying any ground for the notice.
- (2) Where a tenant gives notice of termination under this section, the period of notice must be not less than 21 days.
- (3) This section does not apply in relation to an agreement that creates a tenancy for a fixed term during the currency of that term.

SECTION 69

Notice of termination by owner or tenant where agreement frustrated

69. (1) Where, otherwise than as a result of a breach of an agreement, the premises, or a part of the premises, the subject of that agreement are destroyed or rendered uninhabitable or cease to be lawfully usable as a residence or are appropriated or acquired by any authority by compulsory process—
- (a) the rent shall abate accordingly; and
 - (b) the owner or tenant may give notice of termination of the agreement to the other upon that ground.
- (2) Where an owner gives notice of termination under this section, the period of notice shall be not less than 7 days.
- (3) Where a tenant gives notice of termination under this section, the period of notice shall be not less than 2 days.
- (4) Where notice of termination is given under this section in respect of an agreement that creates a tenancy for a fixed term, the notice is not ineffectual by reason of the fact that the day specified as the day on which the tenant is to, or will, deliver up possession of the premises is earlier than the last day of that term.

Notes on Section 85 (SERVICE)

If the matter goes to Court you will have to produce evidence of service. Service may be effected by various means e.g.

- (1) by personal delivery (you may seek the assistance of a bailiff or other process server)
- (2) by post
- (3) by delivery to a resident of the place of residence of the owner who is apparently over the age of 16 years
- (4) by delivery to the agent of the owner.

Service may be on any owner if there are more than one owners.

For full particulars regarding the services of notices and documents see Section 85 of the Act.