

12

TERMINATION NOTICE CHALLENGE

Residential Tenancies Act 1999 (NT) — Sections 82–104

NT — NTCAT

Your rights when you receive a termination notice — test its validity before doing anything

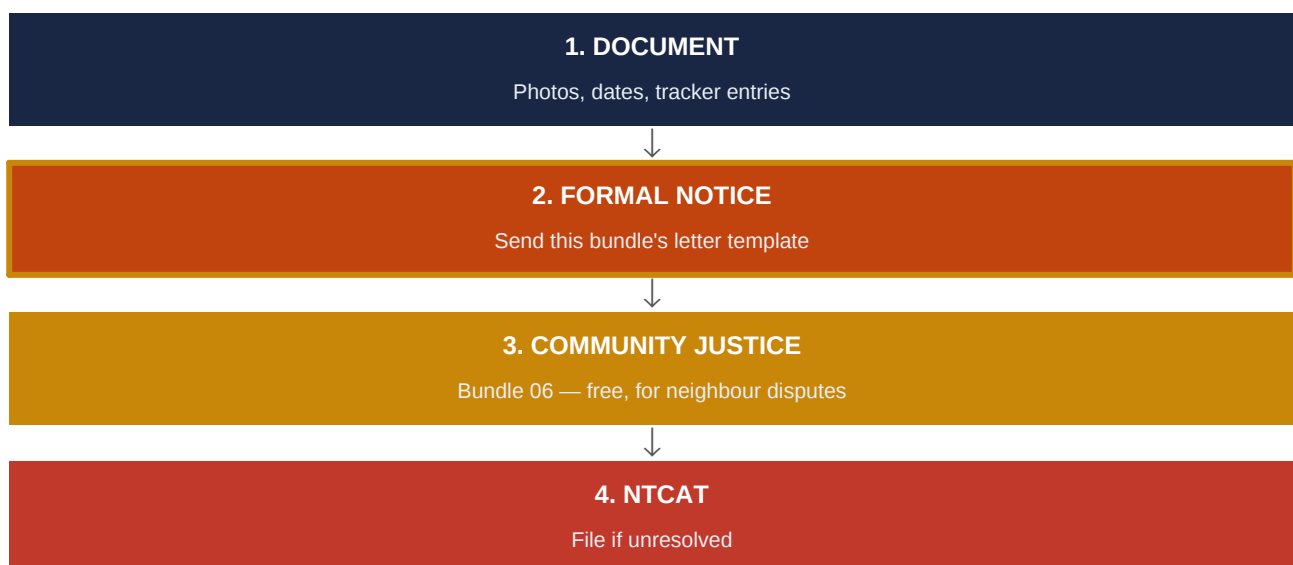
WHEN TO USE THIS BUNDLE

Use this bundle whenever you receive any termination notice, before taking any action.

KNOW THE LAW — CHECKING A TERMINATION NOTICE (SS.82–104)

A termination notice must meet the Act's requirements for form and notice period to be valid. The NT still permits a landlord to end a periodic tenancy without stating a reason, provided the correct notice period is given — this has not been reformed the way it has in some other jurisdictions.

HOW THE SYSTEM WORKS — YOUR ESCALATION PATH



The highlighted box shows where this bundle fits in the journey.

- 01 Do not panic — a notice is not an eviction**
Only NTCAT can make an order for possession under s.104. A notice alone does not require you to leave immediately.
- 02 Check the ground stated (if your notice type requires one)**
Fixed-term end-of-term, breach, and other specific notice types have their own requirements — check which applies to your situation.
- 03 Check the notice period and form**
Confirm against the current Act — an incorrect notice period or missing official form may make the notice defective.
- 04 Apply to NTCAT if the notice is defective**
Section 84 lets you apply to have a purported termination declared of no effect.
- 05 Seek advice early**
The Darwin Community Legal Service or a community legal centre offer free tenancy advice.

IF YOU NEED TO ESCALATE — WHAT NTCAT CAN ORDER

Only NTCAT can order possession under s.104. A defective notice, or one that hasn't been followed by an NTCAT order, does not require you to vacate.

★ GOOD TO KNOW — NO-GROUNDS TERMINATIONS REMAIN LEGAL IN THE NT

Unlike jurisdictions that have reformed this, the NT still allows a landlord to end a periodic tenancy without stating a reason, provided the correct notice period is given — check current requirements for the exact period, as this area of law may change.

■ CRITICAL — NO-GROUNDS TERMINATIONS ARE STILL LEGAL IN THE NT

Unlike some other states, the NT has not banned no-grounds periodic terminations — do not assume the NT's rules match a jurisdiction that has reformed this.

■ CRITICAL — ONLY NTCAT CAN ORDER POSSESSION

A termination notice by itself never legally requires you to vacate — verify it first, and use s.84 to challenge a defective notice.

TEMPLATE — REQUEST FOR CLARIFICATION OF TERMINATION NOTICE

Residential Tenancies Act 1999 (NT) — Sections 82–104

1. COPY

Copy the letter below into a new email

2. FILL

Replace every **[bracketed]** field with your details

3. SEND

Email it — request a read receipt, save a copy

Fill in every **[bracketed]** field, then send via email — request a read receipt.

SUBJECT:

REQUEST FOR CLARIFICATION — TERMINATION NOTICE: [Insert Property Address]

I am writing in response to the termination notice dated **[Insert Notice Date]** received in relation to the above-referenced property.

1. NOTICE DETAILS

- Notice type / ground stated (if any): **[Insert details]**
- Notice period given: **[Insert number of days]**

2. REQUEST FOR CONFIRMATION

- Please confirm the specific basis relied upon for this notice and the exact minimum notice period required under the Residential Tenancies Act 1999 for this type of termination.
- I am seeking independent advice on the validity of this notice and reserve all rights in relation to it, including my right to apply to NTCAT under section 84.

Yours sincerely,

[Your Full Name]

[Property Address]

[Date]

[Contact Number / Email]