

Termination notice for physical assault by tenant

Date:

D	D	M	M	Y	Y	Y	Y
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Tenant name(s):

Tenancy address:

To the named tenant(s) at the above address:

This letter serves as notice to terminate the tenancy agreement at the above address.

The last day of the tenancy will be:

D	D	M	M	Y	Y	Y	Y
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This is in accordance with section 55AA of the Residential Tenancies Act 1986 which requires me to give you at least 14 days' notice to terminate the tenancy on the grounds you have physically assaulted the landlord, the owner, a member of the landlord's or owner's family, or the landlord's agent, and a charge has been filed in respect of the physical assault against you by or on behalf of the Crown.

Note that physical assault under section 55AA(6) of the Residential Tenancies Act is defined as the act of intentionally applying force to the person of another, directly or indirectly.

The details of the assault are set out below.

The name of the tenant who carried out the assault is: *(note: this must be a person named on the tenancy agreement as a tenant):*

The name(s) of the person(s) assaulted is/are:

Tick the person(s) that were assaulted:

- the landlord of the tenancy
- the owner of the property
- a member of the landlord or owner's family
- the landlord's agent

The description of the assault is as follows:

The date of the assault was:

D	D	M	M	Y	Y	Y	Y
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Name:

The approximate time of the assault was:

 am pm

The location of the assault was:

For tenancy advice and information visit www.tenancy.govt.nz or call **0800 TENANCY (0800 836 262)**.

Supporting evidence

The landlord must attach ONE of the following documents to support this termination notice.

Tick the appropriate box to confirm which is being provided:

The charging document that has been filed by or on behalf of the Crown in respect of the physical assault carried out by the tenant.

OR

A written statement from a Police employee confirming that a charge in respect of the physical assault carried out by the tenant has been filed by or on behalf of the Crown (by completing the section below).

Written statement

I am a Police employee (within the meaning of section 4 of the Policing Act 2008) and confirm that a charge under section 14 of the Criminal Procedure Act 2011 has been filed by or on behalf of the Crown in respect of the **physical assault** described in this form, noting that physical assault under s55AA(6) of the Residential Tenancies Act 1986 means *the act of intentionally applying force to the person of another, directly or indirectly.*

Name (include rank, if applicable):

Occupation/Position:

Signature:

Date:

You have the right to apply to the Tenancy Tribunal to challenge this termination notice. If you apply to the Tenancy Tribunal before the tenancy terminates, the tenancy will not terminate under this termination notice except in accordance with an order of the Tenancy Tribunal.

Please contact me if you have any questions.

Phone: Mobile:

Email:

Address:

Suburb, Postcode:

Yours sincerely

(IN CONFIDENCE)

***Delivery:** By: (tick)

- Sent by postal mail service (*allow four extra working days in addition to the 14-day notice period) .
- Placed into letterbox or attached to the door (*allow two extra working days in addition to the 14-day notice period).
- Sent via email or faxed to tenant after 5pm (*allow one extra working day in addition to the 14-day notice period).
- Handed to tenant, sent via email or faxed before 5pm on the date of the notice (the first day of the notice period will be the next calendar day).

**Notice can only be delivered to a physical address, email address or fax number where that address or number has been provided by the tenant as an address for service in the tenancy agreement. For advice on other delivery options, visit www.tenancy.govt.nz or call 0800 TENANCY (0800 836 262).*

Address for service details listed for both parties should match what is recorded on the tenancy agreement unless the details have changed and the other party has been notified of the change.

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