

Response to request for assignment

Date:

Dear *[enter tenant details]*

Tenancy at: *[enter tenancy address]*

I am writing in response to your request dated , to assign your tenancy or place in the tenancy at the above address as provided in section 43B of the Residential Tenancies Act 1986 (the RTA), to another individual(s).

Response *(outline details of your decision)*

Reasonable conditions attached to my consent *(if applicable):*

Landlord signature:

Notes

- › Where the tenant has included the details of the person they propose to take over the tenancy, the landlord must respond to the request in writing within a reasonable time period.
- › The landlord must not withhold consent unreasonably (for example, by unlawfully discriminating), or attach any unreasonable conditions to the consent.
- › Instead of consenting to the assignment, the landlord may offer to accept a surrender of the tenancy on reasonable terms.
- › Landlords may ask for any reasonable costs of the assignment to be covered by the tenant. The landlord must first provide an itemised account of the costs to the tenant if they intend to recover these costs.
- › A tenant who assigns the tenancy with the consent of the landlord and in accordance with any conditions attached to the consent, ceases to be responsible to the landlord for the obligations imposed on the tenant by the agreement and the RTA from the date on which the assignment takes effect.
- › From 11 February 2021 assignment may only be prohibited in a tenancy agreement if the landlord is a social housing landlord as described in section 53B(1)(a) of the Residential Tenancies Act 1986 or if the tenancy was granted before this date. If either of these apply, a landlord can decline to consider the request.
- › A tenant commits an unlawful act if the tenant assigns the tenancy without the prior written consent of the landlord.
- › The Tenancy Services website has information on landlord responsibilities about privacy¹ and discrimination².
- › **If an assignment occurs, this should be recorded in writing and signed by the landlord and all of the tenants. This includes the tenant who's leaving, the remaining tenants (if any) and the new tenant. All parties to the assignment should have a copy.**
- › If a bond has been lodged with Tenancy Services, ensure the bond record is updated within 10 working days:
tenancy.govt.nz/rent-bond-and-bills/bond/changing-information-on-a-bond-record.

Delivery date:

Delivery method: (tick the applicable delivery method)

- mail (*allow 4 extra working days from but not including today)
- hand into letterbox (*allow 2 extra working days from but not including today)
- email to an email address given as an additional address for service
*(*if sent by email after 5pm, allow one extra working day from but not including today)*
- hand to landlord

Note: Please ensure you keep a copy of this document for your own records.

¹ www.tenancy.govt.nz/starting-a-tenancy/new-to-tenancy/pre-tenancy-applications

² www.tenancy.govt.nz/starting-a-tenancy/tenancy-agreements/discrimination