



New South Wales

# Residential Tenancies Amendment (Reasons for Termination) Bill 2021

## Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

## Overview of Bill

The object of this Bill is to amend the *Residential Tenancies Act 2010* (*the Act*) to remove the right of landlords to terminate residential tenancy agreements without grounds and to specify additional reasons for which landlords may terminate residential tenancy agreements.

## Outline of provisions

**Clause 1** sets out the name, also called the short title, of the proposed Act.

**Clause 2** provides for the commencement of the proposed Act on the date of assent to the proposed Act.

## Schedule 1      Amendment of Residential Tenancies Act 2010 No 42

**Schedule 1[4] and [7]** substitute sections 84(1) and 85(1) of the Act to remove the right of a landlord to terminate a fixed term agreement or a periodic agreement without grounds. The substituted provisions permit a landlord to terminate a fixed term agreement or a periodic agreement—

- (a) if the landlord, or a person with a close family relationship to the landlord, intends to occupy the residential premises, or
- (b) if the landlord intends to repair, renovate or reconstruct the premises in a way that reasonably requires the tenant to vacate the premises, or

- (c) if the tenant, or another occupier of the premises, has endangered the safety of an occupier of neighbouring premises, or
- (d) for another reason prescribed by the regulations.

The reasons mentioned in the substituted provisions apply in addition to the reasons for termination of an agreement by a landlord set out in other provisions of Part 5, Division 2 of the Act. **Schedule 1[1]–[3], [5], [6] and [8]** make consequential amendments.

**Schedule 1[9]** inserts a transitional provision to exclude the application of the proposed amendments to residential tenancy agreements entered into before the commencement of the amendments.