



# Victoria Government Gazette

No. S 142 Thursday 25 March 2021  
By Authority of Victorian Government Printer

## Residential Tenancies Act 1997

### DOCUMENTARY EVIDENCE REQUIREMENTS

I, Nicole Rich, Director, Consumer Affairs Victoria, under section 486A of the **Residential Tenancies Amendment Act 2018**, give notice that the following documentary evidence has been approved as required for use when issuing a Notice to Vacate under sections 91ZZO(e) (rented premises), 142ZT(e) (rooming house), 206AZI(e) (caravan) and 498ZX(6)(ac) (specialist disability accommodation) of the **Residential Tenancies Act 1997**.

These requirements will take effect from 29 March 2021, upon the commencement of the **Residential Tenancies Amendment Act 2018**.

<b>91ZZO(e) Residential tenancies</b>	
91ZW	Both of the following: <ul style="list-style-type: none"><li>rental agreement (section 91ZW requires that this must be stated in the rental agreement); and</li><li>a witnessed, Statutory Declaration signed by the rental provider, confirming the date they intend to resume occupancy.</li></ul>
91ZX	Both of the following: <ul style="list-style-type: none"><li>photographic proof that repairs are required; and</li><li>contract with, or quotation from, a suitably qualified tradesperson for carrying out planned repairs, stating:<ul style="list-style-type: none"><li>the nature of the repairs required,</li><li>the reasons why the premises need to be vacated by the renter in order to carry out the repairs, and</li><li>an estimate of the length of time it will take to complete the repairs.</li></ul></li></ul> Or the following: <ul style="list-style-type: none"><li>building permit for repairs or renovation.</li></ul>
91ZY	Both of the following: <ul style="list-style-type: none"><li>planning permit for demolition; and</li><li>contract with a suitably qualified Builder-demolisher, stating the date that demolition will occur.</li></ul>
91ZZ	The following: <ul style="list-style-type: none"><li>a witnessed, statutory declaration of intention to use the premises for business purposes including details of the particular business and stating that the premises will not be re-let as a residence before the end of 6 months after the date the notice was given.</li></ul> And one or more of the following: <ul style="list-style-type: none"><li>the ABN of the business; or</li><li>business registration or license; or</li><li>council planning permit.</li></ul>

**SPECIAL**

91ZZA	<p>A witnessed, statutory declaration signed by the rental provider, stating either:</p> <ul style="list-style-type: none"> <li>● they intend to reside in the rented premises, or</li> <li>● the name of the person who will occupy the rented premises, their relationship to the rental provider, and declaring whether the person is a dependent, and</li> <li>● that the rental provider understands that they must not re-let the premises to any person (other than the person named to be moving in to the rented premises in the statutory declaration) for use primarily as a residence before the end of 6 months after the date on which notice was given, unless approved by VCAT.</li> </ul>
91ZZB	<p>One of the following:</p> <ul style="list-style-type: none"> <li>● contract of sale, signed by the vendor and purchaser and dated; or</li> <li>● contract of engagement/authority to sell with a licensed estate agent; or</li> <li>● preparation of a contract of sale prepared by a conveyancer or an Australian legal practitioner.</li> </ul>
91ZZC	<p>One of the following:</p> <ul style="list-style-type: none"> <li>● provision of acquisition details (public information); or</li> <li>● compulsory letter of acquisition from the government.</li> </ul>

#### 142ZT(e) Rooming houses

142ZJ	<p>One of the following:</p> <ul style="list-style-type: none"> <li>● contract of sale, signed by the vendor and purchaser and dated; or</li> <li>● contract of engagement/authority to sell with a licensed estate agent; or</li> <li>● preparation of a contract of sale prepared by a conveyancer or an Australian legal practitioner.</li> </ul>
142ZK	<p>In the case of repairs, both of the following:</p> <ul style="list-style-type: none"> <li>● photographic proof that repairs are required; and</li> <li>● contract with, or quotation from, a suitably qualified tradesperson for carrying out planned repairs, stating: <ul style="list-style-type: none"> <li>● the nature of the repairs required,</li> <li>● the reasons why the premises need to be vacated by the resident in order to carry out the repairs, and</li> <li>● an estimate of the length of time it will take to complete the repairs.</li> </ul> </li> </ul> <p>Or the following:</p> <ul style="list-style-type: none"> <li>● building permit for repairs or renovation.</li> </ul>
142ZK	<p>In the case of demolition, both of the following:</p> <ul style="list-style-type: none"> <li>● planning permit for demolition; and</li> <li>● contract with a suitably qualified Builder-demolisher, stating the date that demolition will occur.</li> </ul>

<b>206AZI(e) Caravans</b>	
206AZ	<p>One of the following:</p> <ul style="list-style-type: none"> <li>● contract of sale, signed by the vendor and purchaser and dated; or</li> <li>● contract of engagement/authority to sell with a licensed estate agent; or</li> <li>● preparation of a contract of sale prepared by a conveyancer or an Australian legal practitioner.</li> </ul>
206AZB	<p>A witnessed, statutory declaration signed by the caravan owner, stating either:</p> <ul style="list-style-type: none"> <li>● they intend to reside in the caravan, or</li> <li>● the name of the person who will occupy the caravan, their relationship to the caravan owner, and declaring whether the person is a dependent, and</li> <li>● that the caravan owner understands that they must not re-let the caravan to any person (other than the person named to be moving in to the caravan in the statutory declaration) for use primarily as a residence before the end of 6 months after the date on which notice was given, unless approved by VCAT.</li> </ul>
<b>498ZX(6)(ac) Specialist disability accommodation</b>	
498ZX(1)(h)	<p>Both of the following:</p> <ul style="list-style-type: none"> <li>● photographic proof that repairs are required; and</li> <li>● contract with, or quotation from, a suitably qualified tradesperson for carrying out planned repairs, stating: <ul style="list-style-type: none"> <li>● the nature of the repairs required,</li> <li>● the reasons why the SDA enrolled dwelling will need to be vacated by the resident in order to carry out the repairs, and</li> <li>● an estimate of the length of time it will take to complete the repairs.</li> </ul> </li> </ul> <p>Or the following:</p> <ul style="list-style-type: none"> <li>● building permit for repairs or renovation.</li> </ul>
498ZX(1)(ha)	<p>Both of the following:</p> <ul style="list-style-type: none"> <li>● planning permit for demolition; and</li> <li>● contract with a suitably qualified Builder-demolisher, stating the date that demolition will occur.</li> </ul>
498ZX(1)(k)	<p>One of the following:</p> <ul style="list-style-type: none"> <li>● contract of sale, signed by the vendor and purchaser and dated; or</li> <li>● contract of engagement/authority to sell with a licensed estate agent; or</li> <li>● preparation of a contract of sale prepared by a conveyancer or an Australian legal practitioner.</li> </ul>

NICOLE RICH  
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