

Serial 12

Residential Tenancies Amendment (Termination for Unacceptable Conduct)

Bill (No. 2) 2005

Mrs Braham

**A BILL
for
AN ACT**

to amend the *Residential Tenancies Act*



NORTHERN TERRITORY OF AUSTRALIA

Act No. [] of 2005

AN ACT

to amend the *Residential Tenancies Act*

[Assented to [] 2005]

[Second reading [] 2005]

The Legislative Assembly of the Northern Territory enacts as follows:

1. Short title

This Act may be cited as the *Residential Tenancies Amendment (Termination for Unacceptable Conduct) Act 2005*.

2. Principal Act amended

This Act amends the *Residential Tenancies Act*.

3. Repeal and substitution of section 100

Section 100 –

repeal, substitute

100. Conduct of tenant unacceptable

(1) A court may, on the application of the landlord or an interested person, terminate a tenancy and make an order for possession of the premises if satisfied the tenant has –

- (a) used the premises, or caused or permitted the premises to be used, for an illegal purpose; or

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- (b) repeatedly caused a nuisance on or from the premises or repeatedly permitted a nuisance to be caused on or from the premises; or
 - (c) repeatedly caused or repeatedly permitted an interference with the reasonable peace or privacy of a person residing in the immediate vicinity of the premises.
- (2) An order must state the date it takes effect.
- (3) If the application is made by an interested person, the court may make an order only if the landlord is given a reasonable opportunity to be heard.
- (4) In addition, if the landlord objects to the making of an order, the court may make an order only if satisfied exceptional circumstances exist.
- (5) In this section –
- "interested person", for an application under this section, means a person who has been adversely affected by the conduct of the tenant on which the application is based.
