

Ending a tenancy - giving the correct notice

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There are two main types of tenancy agreement – a fixed term tenancy and a periodic tenancy.

Ending a periodic tenancy:

A periodic tenancy doesn't have a fixed end date. It continues until either the tenant or landlord gives written notice to end it.

A tenant must give the landlord at least 21 days' written notice to end the tenancy.

A landlord must give the tenant at least 90 days' written notice to end the tenancy.

In some situations, the landlord can give 42 days' written notice. These situations are when:

- The property has been sold and the new buyer doesn't want tenants
- The owner of the house, or a member of their family wants to live there
- The property is normally used as employee accommodation and is needed again for that purpose (this should be stated in the agreement)

Ending a fixed term tenancy:

A fixed term tenancy lasts for a set amount of time, eg 12 months. Neither the landlord nor the tenant can give notice to end a fixed term tenancy early.

If your fixed term tenancy passes its end date, it will automatically become a periodic tenancy.

If the landlord or tenant wants to renew the fixed term, or end the tenancy once the fixed term ends, you must put it in writing. This notice must be given between 21 and 90 days before the tenancy ends.

Still confused?

[Use our new online tool to find out the rules for your situation. \(http://www.tenancy.govt.nz/ending-a-tenancy/giving-notice-to-end-tenancy/\)](http://www.tenancy.govt.nz/ending-a-tenancy/giving-notice-to-end-tenancy/)

[More information on ending a tenancy. \(http://www.tenancy.govt.nz/ending-a-tenancy/\)](http://www.tenancy.govt.nz/ending-a-tenancy/)