

General rental information



Types of tenancy agreements

Fixed term tenancy agreement:

A fixed-term tenancy has a start date and an end date, and runs for a set amount of time. Normally the tenancy cannot be ended before the end date unless both parties agree.

A periodic tenancy agreement:

A periodic tenancy has no fixed date for the end of the tenancy. In this sort of tenancy, the tenant can end it by giving notice, and the landlord can end it under certain conditions. (refer below)



What happens when a fixed term tenancy agreement ends?

Fixed-term tenancy agreements signed on or after 11 February 2021:

If the term of the tenancy is for longer than 90 days, the fixed-term tenancy will automatically become a periodic tenancy, unless the tenant gives 28 days' notice before the fixed term expires.

A landlord can only prevent a fixed-term tenancy from automatically becoming a periodic tenancy if the termination grounds used for periodic tenancies apply.

The landlord can end a periodic tenancy by giving 90 days' notice in the following circumstances:

- They are putting the property on the market within 90 days of the tenancy ending or they have sold the property and a condition of sale is that the property be vacant.
- The premises are to be demolished, or so extensively redeveloped or altered that it would be impractical for the tenancy to continue. The landlord must take material steps toward this work within 90 days. (there are a couple of other circumstances but these are unusual and if you are unsure we advise you phone or come in and see us)

Your landlord can end a periodic tenancy by giving 63 days' notice if:

- they, or a member of their family, want to move in. They must actually move in within 90 days of the end of the tenancy and live there for 90 days.
- the tenancy agreement states that the property is for housing the landlord's employees, and another employee is to take over the tenancy.



Fixed term tenancy agreements signed before 11 February 2021

If the fixed term is for longer than 90 days, then at the end of this period the tenancy automatically becomes a periodic tenancy...BUT!

If either the landlord or the tenant does not want the fixed term tenancy to roll over onto a periodic tenancy ie, want the tenancy to end at the end of the fixed term, they will have to give notice at least 21 days and up to 90 days before the end of the fixed term.

If the term of the tenancy is for no more than 90 days, then at the end of this period the tenancy ends (the end date should be specified in the tenancy agreement) and the tenant has to leave the property by that date.



ASK US.

Citizens Advice Bureau



Te Pou Whakawhirinaki o Whakatipu