

[Your name and address]

[Date]

[Mortgagee name and address]

Dear Madam/Sir

I refer to your Notice to Occupier dated [date].

I am resident at [address] under a residential tenancy agreement subject to the *Residential Tenancies Act 2010*.

I will not be joining the Supreme Court proceedings, as I cannot afford litigation. However, when considering enforcing an order for possession, please consider the following circumstances. As the tenant of the mortgagor, I am an innocent party in the mortgage problems.

[Further facts about you and your family finding new accommodation. For example:

Finding new premises will be difficult and take time. We need a four-bedroom house, we are a family of three adults and two children. My children are happily enrolled in the local High School. My daughter, the eldest, is sitting her HSC this year. My mother, who lives with us, is unable to use many stairs. The vacancy rate for this area is 3% (per REI, June 2009). Median rent for this area in March 2009 was \$480 per week (Housing NSW Rent and Sales Report). Our household income is \$75,000 per year, that is my wages and my mothers pension.]

The Act requires the Sheriff to give tenants 30 days notice after a mortgagee becomes entitled to possession before having a writ of possession executed.

Further, the Act provides for:

- **the 30-day notice period to be rent-free**
- **access to the premises to show prospective purchasers requires the tenant's agreement as to date and time of access**
- **the mortgagee to be able to endorse a bond claim form.**

I look forward to your written response.

Thank you for your attention and consideration.

Yours sincerely

[T Tenant]

cc: Registrar Supreme Court ref # [file number]