

TENANT EVICTIONS

READ THE WHOLE NOTICE

Most common is an N4 – for arrears of rent – sets out how much and how long to pay

Pay arrears in full by the date – N4 is voided – if not, landlord can file an L1 application

Alternatively, tenants can end their tenancy by leaving on or before the termination date.

N5 – interference with reasonable enjoyment – wilful damages - overcrowding

only allegations – if corrected within 7 days – void - if not corrected L2 application

Alternatively, tenants can end their tenancy by leaving on or before the termination date.

2nd N5 – within 6 months - no remedy – landlord can file L2 application

N6 – illegal act – no remedy – landlord can file an L2 application

- Illegal act – possession of illegal drug for the purpose of trafficking

N7 – interference with landlord / damages / impaired safety – landlord can file an L2

N8 – persistent late rent – landlord can file an L2

ONUS IS ON THE LANDLORD TO PROVE THEIR CLAIM

N12 – own use – genuine intent to occupy for 1 year / pay 1 month rent – can file an L2

N13 – conversion demolition or extensive repairs – landlord can file an L2

*** L2 applications need to be filed within 30 days of the termination date on the notice

The Landlord & Tenant Board will send Notice of Hearing

ALWAYS ATTEND THE HEARING

SEND SOMEONE IF YOU CAN NOT BE THERE

ASK TO SPEAK TO TENANT DUTY COUNSEL FOR
LEGAL ADVICE

GET LEGAL ADVICE **BEFORE** MEDIATION

IN ALL APPLICATIONS – THE ONUS IS ON THE
LANDLORD TO PROVE THEIR CLAIM

Mediation or a Hearing may result in an agreement or an order that requires a tenant to do something specific – or not do something – in order to be in compliance with such an agreement or order.

Following ALL the terms and conditions of a mediated agreement or an order should result in satisfaction of the application and the mediated agreement or order.

A breach or failure to comply with a term in an agreement or order could result in the landlord getting an order terminating the tenancy – ***without notice to the tenant.***

SHERIFF NOTICE TO VACATE

Generally, the sheriff notice will give 7 days to vacate – before the locks are changed

ANY TENANT THAT RECEIVES AN ORDER
FROM THE LANDLORD & TENANT BOARD
OR FROM THE SHERIFF
SHOULD SEEK LEGAL ADVICE
IMMEDIATELY