

Guide Form E: Landlord's Notice to Quit Breach of Statutory Condition or Subsection 9B(1) of the Act

(subsections 10(7B) and 10(7C) of the Residential Tenancies Act)



What are these forms for?

Use this form to give a Notice to Quit if the tenant has breached Statutory Condition 3 or 4 under Section 9(1) of the Act or if a tenant in a land-lease community has breached Condition 5 under subsection 9(2) of the Act or breached Subsection 9B(1) of the Act.

How to complete this form?

To

Give the tenant's name as it appears in the lease. If you do not have a lease, use the tenant's full name.

Address of residential premises

Give the complete address of the place being rented as it appears on the lease. If you do not have a lease, give the full civic address, including the postal code.

Your tenancy is terminated

Give the date the tenant is to leave.

This date can be no sooner than 15 days after the notice is successfully served (30 days in a land-lease community). The date the form is successfully served will depend on the method of service you use. The section **Formally serve the tenant with a copy of this form** will provide this information.

You may want to complete this line just before serving the tenant.
(See subsections 10(7B) and 10(7C) of the Act.)

I am giving you this notice because

Choose the appropriate reason (cause) for the Notice to Quit.

Good behaviour: This may include noise complaints or behaving disruptively toward other tenants or the landlord.

Obligation of the tenant: This may include damage to the unit or a failure to keep it reasonably (ordinarily) clean and habitable.

Compliance with municipal bylaws: Use this if you or the tenant has received a bylaw citation due to the tenant's failure to meet responsibilities. You may use this reason only if the residential premises are in a land-lease community.

Failure to obtain consent of landlord to assign, sublet or otherwise part with possession of the residential premises (subsection 9B(1) of the Act): Use this if the tenant has assigned, sublet or has part with the possession of the unit without the consent of the landlord.

Landlord's name

Give your name as it appears on the lease. If you do not have a lease, use your company name, or, if you do not have a company name, your full name. If you are representing a landlord, give the landlord's company name or full name.

Street number and name

Give your full civic address as it appears on the lease.

Sign and date this form

This date is the date the notice is deemed served or sent. Use this date to calculate the date of the termination.

What do I do with the completed forms?

➡ Formally serve the tenant with a copy of this form.

You may do this in several ways:

- 1 Hand the form to the tenant in person, or an adult who lives with the tenant.
Date served is the same date.
- 2 Leave a copy in the tenant's mailbox or mail slot at the residential premises listed in the lease if the tenant currently resides there.
Date served is the same date.

- 3 Send it by pre-paid registered mail, express post, or courier service to
 - the address of the residential premises listed in the lease if the tenant still lives there
 - a forwarding civic address provided by the tenant

Date served is the 3rd day after the date mailed. Keep a copy of the receipt showing proof the notice was prepaid and sent.

- 4 Send it electronically if the tenant has provided an electronic address in the lease to receive documents. The electronic copy must be substantially the same as the original and capable of being retained by the tenant so they can use it for later reference.

Date served depends on the time and the day sent as follows:

- If sent before 4:00 pm on any day other than a Saturday, Sunday, or holiday, it is deemed to have been served on the day sent.
- If sent after 4:00 pm on any day, it is deemed to have been served on the next day that is not a Saturday, Sunday, or holiday.
- If sent on a Saturday, Sunday, or holiday, it is deemed to have been served on the next day that is not a Saturday, Sunday, or holiday.

Make a copy of this for your records.

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(subsections 10(7B) and 10(7C) of the Residential Tenancies Act)



To (tenant's name) _____

Address of residential premises

Street number and name (civic address) _____ Apartment _____

City or town _____ Province _____ Postal code _____

Tenants: Please see important information below.

Your tenancy is terminated and you must vacate the premises on _____

I am giving you this notice because you have breached the following statutory condition(s)

(check applicable box)

- Good behaviour. (*statutory condition 3 of subsection 9(1) of the Act*)
- Obligation of the tenant. (*statutory condition 4 of subsection 9(1) of the Act*)
- Compliance with municipal bylaws in respect of the tenant's manufactured home in a land-lease community. (*statutory condition 5 of subsection 9(2) of the Act*)
- Failure to obtain consent of landlord to assign, sublet or otherwise part with possession of the residential premises (*subsection 9B(1) of the Act*)

Details of breach

Landlord's name

 (Use company name if applicable.)

Street number and name (civic address) _____ Apartment _____

City or town _____ Province _____ Postal code _____

Sign and date this form

Landlord or representative's signature _____ Date (YYYY MM DD) _____

Landlord: Please Note

You must give at least 30 days notice to a tenant in a land-lease community.

You must give at least 15 days notice to any other tenant.

The period of notice referred to above does not include the day you gave this Notice to Quit to the tenant.

(See subsections 10(7B) and 10(7C) of the Act.)

Keep a copy of this form for your records.

Tenants: Important Information

If you do not agree that you breached the statutory condition, you may file an Application to Director in Form J for an order setting aside this Notice to Quit. (*See subsection 10(7D) of the Act*)

Bring this notice with you.