

QUICKLAW

ANSWERS YOUR QUESTIONS

LANDLORD / TENANT PROBLEMS

Are you having problems with your landlord or your tenant over any of the following unfair practices?

- Overcrowding.
- Health matters.
- Unacceptable living conditions.
- Unfair rentals.
- Lack of maintenance.
- The changing of locks.
- Deposits.
- Damage to property.
- Demolitions and conversions.
- Eviction.
- Forced entry and obstruction of entry.
- Intimidation.
- Reconstruction or refurbishment work.
- Nuisances.
- Municipal services.
- Issuing of receipts.
- Tenant's committees.
- Tenant's activities.

If you are having problems regarding any of the above, you may lodge a complaint with the Rental Housing Tribunal concerning the unfair practice.

How do I lodge a complaint?

- Complete the relevant forms available from the Rental Housing Tribunal.
- The Rental Housing Tribunal will investigate the matter and find out if the problem is an unfair practice.

What will the Rental Housing Tribunal do?

They will establish whether the dispute can be resolved through mediation. If not, they will conduct a hearing. The landlord and tenant will be summonsed. Thereafter a ruling will be made that is just and fair.

What will the Tribunal award?

The Tribunal may:

- Make a ruling regarding who pays whose costs.
- Where a mediation agreement has been concluded, make such an agreement a ruling of the Tribunal.
- A ruling by the Tribunal is similar to a Magistrate's Court order.

What should happen from the date that I lodge my complaint to the date of the ruling?

From the date the complaint is lodged with the Tribunal, until the Tribunal has made a ruling on the matter or a period of 3 months has elapsed, whichever is the earlier:

- The landlord may not evict any tenant.

- The tenant must continue to pay the rent.
- The landlord must maintain the property.

Can I go to court instead of using the Rental Housing Tribunal?

Yes, you may go to court to claim arrear rental or for eviction, but only if there is no dispute about an unfair practice.

KEY:

1. EVICTION - to be forced out of your house by a court order
2. NUISANCE - annoying behavior
4. SUMMONSED - a command to do something or appear in a court of law
5. RENTAL HOUSING TRIBUNAL - a board of officials appointed to make a judgment
6. DWELLING - house
7. LESSEE / TENANT - a person renting the property from the owner
8. LESSOR / LANDLORD - a person who rents a room or property out to a tenant