



STUDENTS, ARE YOU RENTING?

Did You Know?

1. I have just rented my first apartment, am I covered under the rights of The Residential Tenancies Act?

a. **YES.** (Section 3(1))

2. Are all rentals covered by The Residential Tenancies Act?

a. **NO.** Some of the accommodations that are excluded: (Section 3(4))

- Hotels, motels, hostels and other similar accommodations;
- Housing provided by an educational institution for its students (i.e.: MUN Housing);
- Housing provided by a religious, charitable or non-profit organization;
- Housing provided by a cooperative housing corporation, its members or shareholders;
- Housing attached to a premise occupied for a business purpose where both are under a single rental agreement by the same person;
- Housing where the tenant is required to share a bathroom or kitchen facilities with the owner who lives in the building;
- Housing where meals or bed linens are provided.

3. Is a landlord required to provide a copy of The Residential Tenancies Act?

a. **YES.** (Section 5(1)) <http://www.assembly.nl.ca/legislation/sr/statutes/r14-1.htm>

4. I am thinking about renting an apartment, am I required to sign a lease (rental agreement)?

a. A landlord may request one but a verbal lease is acceptable in NL. (Section 2(g))

5. What kind of lease or rental agreement can a landlord and tenant enter into?

- i. Week to week
- ii. Month to month
- iii. A fixed term of not less than 6 months and not more than 12 months. (Section 6)

6. Can a landlord place a clause in a rental agreement that would waive all or part of my rights under the Residential Tenancies Act?

a. **NO.** (Section 3(1))

7. Is a tenant REQUIRED to pay a security deposit?

a. **YES,** up to $\frac{3}{4}$ of one month's rent. (Section 12)

8. Can a landlord change the locks on my doors?

a. A landlord or tenant cannot change locks on doors without permission of the other. (Section 8(1)(6))

9. Is my landlord required to provide an address and phone number where they can receive documents?

a. **YES.**

10. Can my landlord enter my rented premises?

a. **YES.** However, a landlord **MUST** give a 24 hour advanced written notice to enter a rented property and entry should be made during reasonable hours. Except: (Section 8(1)(5))

- i. In the event of an emergency;
- ii. If the tenant permits entry;
- iii. If a termination notice is in place, the landlord needs to make a reasonable attempt to give 4 hours advance notice to enter the premises for the purpose of showing the property to a prospective tenant or purchaser.

**ARE YOU
COVERED?**
COVERED



11. Is a landlord responsible for regular or minor repairs?

The tenant is responsible for repairs for damage caused by the tenant or their guests. If the repair is not for damages done by a tenant or their guests, the landlord is generally responsible for it.

12. Can my landlord have someone else look after the property I am living in?

a. **YES.** (Section 5(5)(b))

13. My landlord is threatening to disconnect my electrical service, water service or heat source. Is the landlord permitted to do this?

a. **NO.** (Section 8(1)(8))

14. Is a landlord required to provide receipts when rent is paid?

a. It is a good idea to ask for rent receipts. (Section 15)



15. I have to move from my rental unit for unforeseen circumstances but I have signed a one year agreement. Do I have the right to sub-let my premises?

a. **YES,** with the landlord's approval. If you sublet you become a landlord and a tenant. (Section 8(1)(3))

16. How can a Termination Notice under the Residential Tenancies Act, 2000, R-14.1 be issued (aka: served)?: (Section 30(1)(2)(3)(4))

- i. Giving it personally to the landlord/tenant;
- ii. Giving it to a person who is 16 years of age or older who apparently lives with the landlord/tenant;
- iii. Posting it in a conspicuous place on the landlord's/tenant's home;
- iv. Placing it under the door or in the mail box of the landlord's/tenant's home;
- v. Sending it by registered mail, express post, prepaid to the landlord/tenant;
- vi. Having it delivered to the landlord/tenant by a courier service;
- vii. By an alternative method authorized by the Director of Residential Tenancies.



NOTE: Email or text message is not an acceptable means of service.

Types of Notices to End a Tenancy:

By Landlord	Type of Notice	By Tenant
3 rental months	Mth to Mth	1 rental month
3 rental months before end of lease term	Term Lease	2 rental months before end of lease term
10 days of notice if in arrears for 15 days	Arrears	N/A
Not less than 5 days	Peaceful Enjoyment	5 - 14 days' notice
Min. of 3 days' notice to comply. If non-compliance, not less than 5 days.	Tenant's obligation not met (Keep unit clean and repair damage caused by you or someone you allow on property)	N/A
Written notice to correct breach. Then not less than 1 rental month notice	Breach of Contract	Written notice to correct breach. Then not less than 1 rental month notice

ALL NOTICES MUST be in writing

Motor Vehicle Registration Building
149 Smallwood Drive
P.O. Box 8700
Mount Pearl, NL, A1B 4J6
Phone: (709) 729-2610/2608/5829
Fax: (709) 729-6998

Government Service Centre
Fraser Mall, 230 Airport Blvd.
P.O. Box 2222
Gander, NL, A1V 2N9
Phone: (709) 256-1019
Fax: (709) 256-1438

Sir Richard Squires Bldg.
84 Mt. Bernard Avenue
P.O. Box 2006
Corner Brook, NL, A2H 6J8
Phone: (709) 637-2445
Fax: (709) 637-2498

Individuals may also call us toll free at: 1-877-829-2608

For more information, visit us online at <http://www.servicenl.gov.nl.ca/landlord/index.html>