

Notice to Increase the Rent and/or Charges for Care Services and Meals

Form N3

Instructions

Use this form if the tenant lives in a care home unit and you are increasing the tenant's rent and/or their charges for care services and meals.

A Notice to Increase the Rent and/or Charges for Care Services and Meals must be properly filled out and given before the rent and/or the charges for care services and meals can be increased. These instructions will help you complete the form. It is your responsibility to make sure that the notice complies with the requirements of the *Residential Tenancies Act*.

You can obtain this form at the Landlord and Tenant Board office in your area or from the Board's website at www.LTB.gov.on.ca.

January 31, 2007

About this notice...

Under the *Residential Tenancies Act*, a complex is a care home if the tenants occupy it for the purpose of receiving care services (whether or not receiving care services is their main purpose for living there). Care services are health care services, rehabilitative or therapeutic services and services that provide assistance with the activities of daily living.

You must give the tenant notice of any rent increase at least 90 days before the date of the increase. As well, you must give the tenant at least 90 days notice of any increase in charges for care services and/or meals they are currently receiving.

There are many ways you can give this notice to the tenant. You can:

- hand it directly to the tenant or to an adult in the rental unit,
- leave it in the tenant's mailbox or where mail is ordinarily delivered,
- place it under the door of the rental unit or through a mail slot in the door,
- send it by fax to a fax machine where the tenant carries on business or to a fax machine in their residence,
- send it by courier (if you courier it, you must allow one business day for delivery),
- send it by mail (if you mail it, you must allow five days for delivery).

You cannot give the tenant this notice by posting it on the door to the tenant's rental unit.

If the tenant has a guardian or substitute decision maker who has power of attorney, you should also give the guardian or substitute decision maker a copy of this notice.

Increasing the Rent...

You can only increase the rent if at least 12 months have passed since the date of the last rent increase for the tenant or since the date the tenant moved into the rental unit.

You do not have to give the tenant a notice to increase the rent if you and the tenant have signed an Agreement to Increase the Rent above the Guideline (Form N10).

If there is more than one tenant in the rental unit, each with a separate tenancy agreement, then:

- you must give each tenant of the rental unit a notice to increase their rent; and
- each tenant could have a different increase date.

Increasing the Charges for Care Services and/or Meals...

Although you must give the tenant 90 days notice to increase the charges for care services and/or meals, there is no restriction on how long you have to wait between increases.

Note: If you and the tenant agree to add a **new** care service and/or meal that is not currently being provided, no notice is required and you do not have to wait 90 days before charging for this new care service or meal. Similarly, you do not have to give a notice or wait 90 days before charging for a new **level** of care service (for example, if you and the tenant agree to increase therapeutic care from 5 hours per week to 10 hours per week).

When to use Other Forms...

If the rental unit is exempt from the rules under the *Residential Tenancies Act* limiting the amount of the rent increase, use Form **N2** to increase the tenant's rent. You do not have to give the tenant a notice to increase the charges for care services and meals.

If the rental unit is not in a care home and is not exempt from the rules under the *Residential Tenancies Act* limiting the amount of the rent increase, use Form **N1** to increase the tenant's rent.

You must provide a Care Home Information Package...

When a tenant moves into a care home rental unit, you must give them a care home information package. Until you give the tenant the care home information package, you cannot give the tenant a Notice to Increase the Rent and/or Charges for Care Services and Meals.

For more information about the care home information package, call the Landlord and Tenant Board at 416-645-8080 or toll-free at 1-888-332-3234. You can also visit the Board's website at www.LTB.gov.on.ca.

How to complete the form...

Note: If there is more than one tenant in the rental unit and each tenant has a separate tenancy agreement, you must give a separate notice to each tenant whose rent and/or charges for care services and meals will increase. (The amounts you fill in on the form must be the amounts for the individual tenant, not for the rental unit.)

To: Fill in the tenant's name and complete address, including the unit number. If there is more than one tenant living in the rental unit, fill in the names of all of the tenants.

From: Fill in the landlord's name and address. If there is more than one landlord, fill in the names of all the landlords.

Address of Rental Unit: Fill in the address and unit number of the rental unit covered by this notice.

Your New Rent and Charges: **Date of Increase ...**
Fill in the date the rent and/or charges will increase. If you intend to increase the rent and the charges on different dates, use separate forms.

Rent Increase ...

If you are increasing the tenant's rent, check the box indicating that the rent will increase. Write in the amount, in dollars and cents, that you will charge the tenant on the date of the increase. This new rent is the total of the rent for the tenant and all separate charges the tenant pays you, excluding charges for care services and meals.

Also write in whether this rent will be charged each month or week. If you charge rent by some other period (for example, quarterly), write in the period that the rent covers.

On the form, you must also indicate whether or not the new rent needs approval by an order under the *Tenant Protection Act* or the *Residential Tenancies Act*.

- The new rent does not need approval in the following situations:
 1. The rent increase is equal to or less than the rent increase guideline. If you do not know what the rent increase guideline is, call the Landlord and Tenant Board.
 2. The rent increase is greater than the rent increase guideline but it has already been approved in an order under the *Tenant Protection Act* or the *Residential Tenancies Act*.
- The new rent needs approval if the rent increase is above the rent increase guideline and does not fall under one of the situations identified above. Until the rent increase is approved, the tenant does not have to pay more than the current rent plus the guideline increase.

Forms for making an Application for a Rent Increase Above the Guideline are available at the Landlord and Tenant Board office.

Increase in Charges for Care Services and Meals ...

If you are increasing the tenant's charges for care services and/or meals, check the box indicating that the charges will increase. Write in the amount, in dollars and cents, that you will charge the tenant on the date of the increase. Also indicate whether this new amount will be charged each month or week. If you charge by some other period (for example, quarterly), write in the period that the charge covers.

Note: There is no restriction on the amount of an increase for charges for care services and meals.

Total Amount Tenant Should Pay ...

At the bottom of the box on the form, write in the **total** amount the tenant must pay on the date of the increase. This amount is the total of the rent and charges for care services and meals. Also write in whether this total amount will be charged each month or week. If you charge by some other period (for example, quarterly), write in the period that the amount covers.

Example: Rita Brighton is the landlord. She wants to increase the total monthly rent on August 1, 2007 by the rent increase guideline. The current rent is \$2000 and the rent increase guideline for 2007 is 2.6%. Here is how Rita would calculate the rent increase:

$$\frac{\$2000 \times 2.6}{100} = \$52.00$$

$$\$2000 + \$52.00 = \$2052.00$$

The total new rent is \$2052.00

Rita also wants to increase the charges for care services and meals on August 1, 2007. The tenant currently pays \$1200 each month and she wants to increase the total charges to \$1500 per month.

Here is how Rita would complete the form:

On August 1, 2007:
(day/month/year)

Your **rent** will increase to \$2052.00 per month
(month, week, etc.)

Check one of the following:

This new rent does not need approval.

This new rent needs approval through an order under the *Residential Tenancies Act*.

Your charges for care services and/or meals will increase to \$ 1500.00
per month.
(month, week, etc.)

On the date of the increase, the **total** amount you should pay for your rent and care services and meals is \$ 3,552.00 per month,
(month, week, etc.)

Signature: If you are the landlord, check the box marked “landlord” and sign your name. Print your name above your signature. Include your telephone number and the date you are signing this notice.

If you are the landlord’s agent, check the box marked “agent”, sign your name and include the date you are signing this notice. In the space marked “Agent Information”, fill in your name, company name (if applicable), mailing address, telephone number and a fax number if you have one.

If you need more information...

If you need more information or have any questions, call the Landlord and Tenant Board at 416-645-8080 or toll-free at 1-888-332-3234. You can also visit the Board’s website www.LTB.gov.on.ca.