

Reasons a Landlord can Apply to Evict a Tenant

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Note: *All the reasons listed above may also be reasons for ending a tenancy in a care home. There are, however, special reasons for ending a tenancy which apply only to care home tenancies. These special reasons are not covered in this brochure. For more information about the special reasons for ending a tenancy in a care home, see the Board's brochure on **Care Homes**.*

Reason	Notice Form	Notice Period (at least...)	Application Form	Other important information
Abandoned rental unit				
Tenant abandoned the rental unit. (Note: the Board will not consider a rental unit to be abandoned if the tenant has paid <i>all</i> their rent)	Landlord may apply to the Board without giving the tenant a notice.	None	Form L2 – Application to Terminate a Tenancy and Evict a Tenant There is no deadline for filing the application.	Although the unit may appear to be abandoned, the landlord must attempt to serve the tenant with a copy of the application and the Notice of Hearing. If the tenant’s new address is not known, the landlord can serve the tenant at their last known address or business address.
Agreement to end the tenancy				
Tenant made an agreement with the landlord to end the tenancy.	Landlord may apply to the Board without giving the tenant a notice.	None	Form L3 – Application to Terminate a Tenancy – Tenant gave Notice or Agreed to Terminate the Tenancy Application must be filed no later than 30 days after the termination date in the agreement.	The landlord can apply any time after the agreement is made. The landlord does not have to give the tenant a copy of the application. An eviction order can be issued without holding a hearing. If an order is issued evicting the tenant without a hearing, the tenant can make a Motion to Set Aside the order. This motion must be made within 10 days after the eviction order was issued. The Board can extend this 10-day period in appropriate circumstances.
Breach of order or mediated settlement				
Tenant breached the conditions of a Board order or mediated settlement, and the order or settlement allows the landlord to apply to end the tenancy if a breach occurs.	Landlord may apply to the Board without giving the tenant a notice.	None	Form L4 – Application to Terminate a Tenancy – Tenant Failed to Meet Conditions of a Settlement or Order Application must be filed no later than 30 days after a tenant’s breach of a condition in the order or mediated settlement.	The landlord does not have to give the tenant a copy of the application. An eviction order can be issued without holding a hearing. If an order is issued evicting the tenant without a hearing, the tenant can make a Motion to Set Aside the order. This motion must be made within 10 days after the order was issued. The Board can extend this 10-day period in appropriate circumstances.

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Ceases to qualify for subsidized housing				
Tenant no longer qualifies to live in public or subsidized housing.	Form N8 – Notice to Terminate a Tenancy at the End of a Term	28 days (daily or weekly tenancy) 60 days (all other tenancies) Termination date must be the last day of the rental period or lease term.	Form L2 – Application to Terminate a Tenancy and Evict a Tenant Application must be filed no later than 30 days after the termination date shown in the notice.	Tenant can dispute the application at the hearing. Note: The Board cannot make decisions about whether a person is eligible for RGI assistance or the amount of RGI rent that must be paid.
Change of use to non-residential				
Landlord intends to change the rental unit to a non-residential use.	Form N13 – Notice to Terminate the Tenancy at the End of the Term for Conversion, Demolition or Repairs	120 days notice 1 year for mobile home parks or land lease communities, if tenant owns the home on the site Termination date must be the last day of the rental period or lease term.	Form L2 – Application to Terminate a Tenancy and Evict a Tenant Application must be filed no later than 30 days after the termination date in the notice.	Tenant can dispute the application at the hearing, or move out of the unit on an earlier date, provided they give at least 10 days written notice to the landlord. If the property has 5 or more units, the landlord must provide another rental unit acceptable to the tenant or give the tenant an amount equal to 3 months rent. <i>(If the rental unit is a site in a mobile home park or land lease community, see Note 1 on page 19.)</i>
Condominium purchase failed				
Tenant lives in a proposed condominium based on an agreement of purchase and sale and the agreement has been terminated.	Form N8 – Notice to Terminate a Tenancy at the End of a Term	28 days (daily or weekly tenancy) 60 days (all other tenancies) Termination date must be the last day of the rental period or lease term.	Form L2 – Application to Terminate a Tenancy and Evict a Tenant Application must be filed no later than 30 days after the termination date in the notice.	Tenant can dispute the application at the hearing.

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Damage - Tenant, their guest or another occupant of the rental unit has:				
<ul style="list-style-type: none"> • wilfully or negligently caused undue damage to the rental unit or complex. 	Form N5 – Notice to Terminate a Tenancy Early	20 days (for 1 st notice)	Form L2 – Application to Terminate a Tenancy and Evict a Tenant Application must be filed no later than 30 days after the termination date in the notice.	The landlord can give this notice if the person who caused the damage did so wilfully or negligently (in other words, whether the damage was done deliberately or by not being careful enough). The tenant may void the notice and stay in the unit if, within 7 days after receiving the notice, they: <ul style="list-style-type: none"> • repair the damaged property or pay the reasonable costs to repair it; or • if it is not reasonable to repair the damaged property, replace the damaged property or pay the reasonable costs to replace it. (<i>If this is the second notice within 6 months, see Note 2 on page 19.</i>) Or, the tenant can dispute the application at the hearing.
<ul style="list-style-type: none"> • wilfully caused undue damage to the rental unit or complex. 	Form N7 – 10 day Notice to Terminate a Tenancy Early	10 days	Form L2 – Application to Terminate a Tenancy and Evict a Tenant Application must be filed no later than 30 days after the termination date in the notice.	The tenant can dispute the application at the hearing. A landlord must prove at the hearing that the person who caused the damage did so wilfully (in other words, that the person deliberately caused the damage). If the landlord cannot prove to the Board that the damage was wilful, the application will be dismissed. If a landlord is not sure if they can prove that the person wilfully caused the damage, the landlord may consider giving the tenant the 20 day notice of termination for wilful or negligent damage (Form N5) instead.
<ul style="list-style-type: none"> • used the rental unit or complex in a manner that is inconsistent with its use as residential premises and this has caused or can be expected to cause serious damage. 	Form N7 – 10 day Notice to Terminate a Tenancy Early	10 days	Form L2 – Application to Terminate a Tenancy and Evict a Tenant Application must be filed no later than 30 days after the termination date in the notice.	The tenant can dispute the application at the hearing. The landlord must prove at the hearing that the amount of damage that was caused or could be caused is significantly greater than damage that would result if it were wilfully or negligently caused.

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Demolition				
Landlord intends to demolish the rental unit.	Form N13 – Notice to Terminate the Tenancy at the End of the Term for Conversion, Demolition or Repairs	120 days notice 1 year notice for mobile home parks or land lease communities, if tenant owns the home on the site Termination date must be the last day of the rental period or lease term.	Form L2 – Application to Terminate a Tenancy and Evict a Tenant Application must be filed no later than 30 days after the termination date in the notice.	The tenant can dispute the application at the hearing, or move out of the unit on an earlier date provided that they give 10 days written notice to the landlord. If the property has 5 or more units, and demolition was not ordered under another Act, the landlord must provide another rental unit acceptable to the tenant or give the tenant an amount equal to 3 months rent. <i>(If the rental unit is a site in a mobile home park or landlord lease community, see Note 1 on page 19.)</i>
Employment terminated				
Tenant was an employee of an employer who provided the tenant with the rental unit during their employment, and the employment has ended.	Form N8 – Notice to Terminate a Tenancy at the End of a Term	28 days (daily or weekly tenancy) 60 days (all other tenancies) Termination date must be the last day of the rental period or lease term.	Form L2 – Application to Terminate a Tenancy and Evict a Tenant Application must be filed no later than 30 days after the termination date in the notice.	The tenant can dispute the application at the hearing. This reason does not include employment as a janitor, superintendent, caretaker, manager or security guard of a rental property where the person lives in the superintendent’s premises. Ending the tenancy of these types of employees is explained in Superintendent’s Employment Ended on page 18.
Illegal act or business – Tenant or another occupant has:				
<ul style="list-style-type: none"> committed an illegal act or carried on an illegal business involving the production of an illegal drug or trafficking of an illegal drug, or they allowed another person to do this in the rental unit or complex. 	Form N6 – Notice to Terminate a Tenancy Early – Illegal Act or Misrepresentation of Income	10 days	Form L2 – Application to Terminate a Tenancy and Evict a Tenant Application must be filed no later than 30 days after the termination date in the notice.	The tenant can dispute the application at the hearing.
<ul style="list-style-type: none"> committed an illegal act or carried on an illegal business, or they allowed another person to do this in the rental unit or complex. 		20 days (1 st notice)		The tenant can dispute the application at the hearing. <i>(If this is the second notice within 6 months, see Note 2 on page 19.)</i>

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Impairing safety – Tenant, their guest or another occupant of the rental unit has:				
<ul style="list-style-type: none"> • seriously impaired the safety of another person in the rental complex. 	Form N7 – 10 day Notice to Terminate a Tenancy Early	10 days	Form L2 – Application to Terminate a Tenancy and Evict a Tenant Application must be filed no later than 30 days after the termination date in the notice.	<p>The landlord may also give a notice to the tenant for this reason, based on the presence or behaviour of a pet the tenant is keeping.</p> <p>The tenant can dispute the application at the hearing.</p>
Interference with enjoyment or other right – Tenant, their guest, or another occupant of the rental unit has:				
<ul style="list-style-type: none"> • substantially interfered with the landlord’s reasonable enjoyment of the building or with another of the landlord’s lawful rights, privileges or interests (where the landlord lives in the same building as the tenant and the building has 3 or fewer residential units) 	Form N7 – 10 day Notice to Terminate a Tenancy Early	10 days	Form L2 – Application to Terminate a Tenancy and Evict a Tenant Application must be filed no later than 30 days after the termination date in the notice.	<p>The landlord may also give a notice to the tenant for this reason, based on the presence or behaviour of a pet the tenant is keeping.</p> <p>The tenant can dispute the application at the hearing.</p>
<ul style="list-style-type: none"> • substantially interfered with the reasonable enjoyment of the landlord or another tenant, or • substantially interfered with another lawful right, privilege or interest of the landlord or another tenant. 	Form N5 – Notice to Terminate a Tenancy Early	20 days (1 st notice)	Form L2 – Application to Terminate a Tenancy and Evict a Tenant Application must be filed no later than 30 days after the termination date in the notice.	<p>The landlord may also give a notice to the tenant for this reason, based on the presence or behaviour of a pet the tenant is keeping.</p> <p>The tenant can:</p> <ul style="list-style-type: none"> • void the notice and stay in the unit if the tenant stops the activity that caused the landlord to give the notice, within 7 days (<i>If this is the second notice within 6 months, see Note 2 on page 19</i>), or • dispute the application at the hearing.

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Misrepresenting income				
Tenant lives in a rent geared to income rental unit and has misrepresented their income or the income of a family member who lives in the unit.	Form N6 – Notice to Terminate a Tenancy Early – Illegal Act or Misrepresentation of Income	20 days (1 st notice)	Form L2 – Application to Terminate a Tenancy and Evict a Tenant Application must be filed no later than 30 days after the termination date in the notice.	The landlord can apply any time after the notice is given to the tenant. The tenant cannot <i>void</i> the notice but they can dispute the application at the hearing. <i>(If this is the second notice within 6 months, see Note 2 on page 19.)</i>
Non-payment of rent				
Tenant has not paid their rent.	Form N4 – Notice to End a Tenancy Early for Non-payment of Rent	7 days (daily or weekly tenancy) 14 days (all other tenancies)	Form L1 – Application to Evict a Tenant for Non-payment of Rent and to Collect Rent the Tenant Owes There is no deadline to file the application.	The tenant may void the notice and stay in the rental unit if, before the day the landlord applies to the Board, the tenant pays: <ul style="list-style-type: none"> • all the rent that is owed, plus • any new rent that has come due.
Overcrowding				
The number of people living in the rental unit is more than permitted by health, safety and housing standards.	Form N5 – Notice to Terminate a Tenancy Early	20 days (1 st notice)	Form L2 – Application to Terminate a Tenancy and Evict a Tenant Application must be filed no later than 30 days after the termination date in the notice.	The tenant may void the notice and stay in the unit by reducing the number of people living in the unit to the limit allowed by local bylaws within 7 days. <i>(If this is the second notice within 6 months, see Note 2 on page 19.)</i> Or, the tenant can dispute the application at the hearing.

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Persistent late payment of rent				
Tenant has been persistently late in paying their rent.	Form N8 – Notice to Terminate a Tenancy at the End of a Term	28 days (daily or weekly tenancy) 60 days (all other tenancies) Termination date must be the last day of the rental period or lease term.	Form L2 – Application to Terminate a Tenancy and Evict a Tenant Application must be filed no later than 30 days after the termination date in the notice.	The tenant can dispute the application at the hearing. The tenant does not have to owe rent at the time this application is made. The Board will not issue an order for rent owing if the application is only based on persistent late rent. If there is rent owing, see Non-payment of Rent on page 15.
Personal use by landlord				
Landlord requires possession of the rental unit because one of the following people wants to move into the rental unit: <ul style="list-style-type: none"> the landlord or the landlord’s spouse, a child or parent of the landlord or their spouse, or a person who provides or will provide care services for any of these people.** 	Form N12 - Notice to Terminate the Tenancy at the End of the Term for Landlord’s or Purchaser’s Own Use	60 days Termination date must be the last day of the rental period or lease term.	Form L2 – Application to Terminate a Tenancy and Evict a Tenant Application must be filed no later than 30 days after the termination date in the notice.	The tenant can dispute the application at the hearing, or move out of the unit on an earlier date if they provide at least 10 days written notice to the landlord. ** The person who receives care services must reside in the same complex.
Personal use by purchaser				
Landlord of a property that has no more than 3 residential units * has entered into an agreement of purchase and sale for the property and one of the following people wants to move into the rental unit: <ul style="list-style-type: none"> the purchaser or their spouse, the purchaser’s child or parent, the purchaser’s spouse’s child or parent, or a person who provides or will provide care services for any of these people.** 	Form N12 - Notice to Terminate the Tenancy at the End of the Term for Landlord’s or Purchaser’s Own Use	60 days Termination date must be the last day of the rental period or lease term.	Form L2 – Application to Terminate a Tenancy and Evict a Tenant Application must be filed no later than 30 days after the termination date in the notice.	The tenant can dispute the application at the hearing, or move out of the unit on an earlier date if they provide at least 10 days written notice to the landlord. * Exception - A landlord who owns more than 3 condominium units in the same building or group of buildings can give notice for purchaser’s own use. ** The person who receives care services must reside in the same complex.

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Repairs or renovations				
<p>The property has 4 or fewer residential units and the landlord intends to do extensive repairs or renovations that require a building permit and that the unit be empty during the work.</p>	<p>Form N13 – Notice to Terminate the Tenancy at the End of the Term for Conversion, Demolition or Repairs</p>	<p>120 days notice</p> <p>1 year notice for mobile home parks or land lease communities, if tenant owns the home on the site.</p> <p>Termination date must be the last day of the rental period or lease term.</p>	<p>Form L2 – Application to Terminate a Tenancy and Evict a Tenant</p> <p>Application must be filed no later than 30 days after the termination date in the notice.</p>	<p>The tenant has the right to move back into the unit when the repairs or renovations are done. If the tenant wants to do this, they must give the landlord notice in writing before vacating the rental unit and inform the landlord of any change in address.</p> <p>The tenant can dispute the application at the hearing, or move out of the unit at an earlier date with at least 10 days written notice to the landlord, whether or not they exercise their right to re-occupy the unit when the work is done.</p>
<p>The property has 5 or more residential units and the landlord intends to do extensive repairs or renovations that require a building permit and that the unit be empty during the work.</p>	<p>Form N13 – Notice to Terminate the Tenancy at the End of the Term for Conversion, Demolition or Repairs</p>	<p>120 days notice</p> <p>1 year notice for mobile home parks or land lease communities, if tenant owns the home on the site.</p> <p>Termination date must be the last day of the rental period or lease term.</p>	<p>Form L2 – Application to Terminate a Tenancy and Evict a Tenant</p> <p>Application must be filed no later than 30 days after the termination date in the notice.</p>	<p>The tenant has the right to move back into the unit when the repairs or renovations are done. If the tenant wants to do this, they must give the landlord notice in writing before vacating the rental unit and inform the landlord of any change in address.</p> <ul style="list-style-type: none"> • If the tenant does not give written notice to the landlord that they intend to re-occupy the unit when the work is done, and the work was not ordered under another Act, the landlord must provide another rental unit acceptable to the tenant, or give the tenant an amount equal to 3 months rent.* • If the tenant gives written notice that they intend to re-occupy the unit when the work is done and the work was not ordered under any other Act, the landlord must give the tenant an amount equal to the rent that the tenant would have paid while the work was done, to a maximum of 3 months rent.* <p>The tenant can dispute the application at the hearing, or move out of the unit at an earlier date with at least 10 days written notice to the landlord, whether or not they exercise their right to re-occupy the unit when the work is done. <i>(*If the rental unit is a site in a mobile home park or land lease community, see Note 1 on page 19.)</i></p>

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Superintendent's employment ended				
Tenant occupies the superintendent's premises as a janitor, superintendent, caretaker, manager or security guard of a building or complex and they did not vacate within 7 days after their employment ended.	Landlord may apply to the Board without giving the tenant a notice.	None	Form L2 – Application to Terminate a Tenancy and Evict a Tenant Application cannot be made earlier than 7 days after the employment ended.	The tenant can dispute the application at the hearing. (The tenant is not required to pay rent or compensation to the landlord for the 7 day period after the employment is terminated.)
Subtenant stays after subtenancy ends				
The landlord wants to evict an “overholding” subtenant because they did not move out after the agreed subtenancy period ended.	Landlord may apply to the Board without giving the subtenant or tenant a notice.	None	Form A2 – Application About a Sublet or an Assignment Application must be filed no later than 60 days after the agreed subtenancy period ended.	The subtenant and/or the tenant can dispute the application at the hearing. The tenant who sublet the rental unit also has the right to file an application to evict the overholding subtenant.
Tenant gave notice to end the tenancy				
Tenant gave the landlord a notice to end the tenancy.	Landlord may apply to the Board without giving the tenant a notice.	None	Form L3 – Application to Terminate a Tenancy – Tenant gave Notice or Agreed to Terminate the Tenancy Application must be filed no later than 30 days after the termination date in the tenant's notice.	The landlord does not have to give the tenant a copy of the application. An eviction order can be issued without holding a hearing. If an order is issued evicting the tenant without a hearing, the tenant can make a Motion to Set Aside the order. This motion must be made within 10 days after the eviction order was issued. The Board can extend this 10-day period in appropriate circumstances.

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Unauthorized occupant				
Landlord wants to evict an unauthorized occupant because the tenant assigned or sublet the rental unit to another person without the consent of the landlord.	Landlord may apply to the Board without giving the tenant a notice.	None	Form A2 – Application About a Sublet or an Assignment Application must be filed no later than 60 days after the landlord discovered the occupant living in the rental unit.	The occupant or the tenant can dispute the application at the hearing.
<p>Note 1: If the reason for giving the notice is that the landlord will be converting, demolishing, repairing or renovating a site on which a tenant-owned mobile home or land lease community home is located, the landlord must give the tenant an amount equal to one year’s rent, or \$3,000 or the prescribed amount, whichever is less.</p>				
<p>Note 2: A tenant who receives a 20-day notice for damage, interference with enjoyment, or overcrowding, can avoid termination by fixing the problem within 7 days. However, if, within 6 months after the notice was given to the tenant, the tenant:</p> <ul style="list-style-type: none"> • does any of these things, • misrepresents his or her income where the tenant is in social housing and receiving a rent subsidy, or • commits an illegal act or carries on an illegal business that does not involve illegal drug activity, <p>the landlord may give a 14-day notice to end the tenancy and apply to the Board right away. The tenant may dispute the application at the hearing.</p>				