

10 Day Notice to End Tenancy For Unpaid Rent or Utilities

Residential Tenancy Act, s.46 (1) Manufactured Home Park Tenancy Act, s.39 (1)

#RTB-30

Tenant: This is a legal notice that could lead to you being evicted from your home

HOW TO DISPUTE THIS NOTICE

You have **5 days** to pay rent and/or utilities to the landlord or file an Application for Dispute Resolution with the Residential Tenancy Branch online, in person at any Service BC Office or by going to the Residential Tenancy Branch Office at #400 - 5021 Kingsway in Burnaby. If you do not apply within the required time limit, you are presumed to accept that the tenancy is ending and must move out of the rental unit by the effective date of this Notice.

This Notice applies to the Manufactured Home Park Tenancy Act, Section 39

This Notice applies to the Residential Tenancy Act, Section 46

To the Tenant: (use Schedule of Parties form #RTB- 26 to list additional tenants)

first and middle name	last name
first and middle name	last name
main phone	other phone

Tenant Address:

site/unit #	street # and name	city	province	postal code
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From the Landlord: (use Schedule of Parties #RTB- 26 to list additional landlords)

first and middle name	last name
main phone	other phone

Landlords address:

site/unit #	street # and name	city	province	postal code
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I, the Landlord, give you 10 days' notice to move out of the rental unit/site located at:

site/unit #	street # and name	city	province	postal code
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You must move out of the rental unit by: DD/MM/YYYY

name of landlord/agent	signature of landlord/agent	date signed DD/MM/YYYY
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Your personal information is collected under section 26 (a) and (c) of the Freedom of Information and Protection of Privacy Act for the purpose of administering the Residential Tenancy Act. If you have any questions regarding the collection of your personal information, please call 604-660-1020 in Greater Vancouver; 250-387-1602 in Victoria; or 1-800-665-8779 elsewhere in B.C.

I am ending your tenancy because:

You have failed to pay rent
in the amount of \$ _____

due on: (DD/MM/YYYY)

You have failed to pay utilities
in the amount of \$ _____

following written demand on: (DD/MM/YYYY)

Complete the details below at the time of service (not required on landlord's copy; failure to complete does not invalidate notice).

Served by:

In person to the tenant or agent of the tenant or an adult (over 19) who appears to live with the tenant

Sending a copy by registered mail to the address at which the person resides

Leaving a copy in a mailbox or mail slot at the address where the person resides

Attaching a copy to the door or other conspicuous place where the tenant resides

Faxes it to a fax number you have provided as an address for service

Email to an email address you have provided as an address for service

As ordered by the Director of the Residential Tenancy Branch (attach copy of Substituted Service Order)

Landlords should also complete Proof of Service Notice to End Tenancy (form #RTB-34) as evidence of service.

IMPORTANT INFORMATION ABOUT THIS NOTICE

REQUIREMENTS FOR THIS NOTICE:

1. EFFECTIVE DATE OF NOTICE

The effective date of this Notice is the date you must move out by and for this Notice the effective date is 10 days after you receive it. This notice may be given by the landlord on any day after the rent was due (for unpaid rent) and/or 30 days after the tenant was given a written demand for unpaid utilities.

2. WHEN YOU ARE CONSIDERED TO HAVE RECEIVED THIS NOTICE

You are considered to have received this notice on the day it is given to you in person (or to an adult (19+) who appears to live with you)

If you were not personally served with this Notice, you are considered to have received the Notice, unless there is evidence to the contrary, on the following:

- 3 days after the landlord either leaves the Notice in the mailbox or through the mail slot; posts it on the door or a noticeable place at the address where you live; or emails/faxes it to a number you have provided as an address for service; or
- 5 days after the landlord sends the Notice by registered or regular mail to the address where you live.

Note: The date a person receives documents is what is used to calculate the time to respond; the deeming provisions do not give you extra time to respond.

3. INFORMATION FOR LANDLORDS AND TENANTS

The tenant may not withhold rent unless ordered by an arbitrator, or the tenant has paid for emergency repairs and provided the landlord with receipts and a written description of what happened. If the tenant disputes the Notice, a hearing will be held. Both parties will have an opportunity to participate. The tenant who accepts the Notice must move out by the date set out on page 1 of this Notice, or sooner. An error in this Notice or an incorrect move-out date on this Notice does not make it invalid. An arbitrator can order that the tenancy ends on a date other than the date specified in this Notice. You **MUST NOT** physically evict a tenant without a Writ of Possession obtained from the Supreme Court of British Columbia after an arbitrator has issued an Order of Possession, change the locks without an arbitrator's order, or seize a tenant's personal property without a court order.

4. INFORMATION FOR TENANTS

You have the right to dispute this Notice within 5 days after you receive it, by filing an Application for Dispute Resolution with the Residential Tenancy Branch or at a Service BC Office. An arbitrator may extend your time to file an Application, but only if he or she accepts your proof that you had a serious and compelling reason for not filing the Application on time.

If you do not file an Application for Dispute Resolution within 5 days, you are presumed to accept that the tenancy is ending and must move out of the rental unit by the date set out on page 1 of this Notice (you can move out sooner). If you do not file the Application or move out, your landlord can apply for an Order of Possession.

You may dispute the Notice for specific reasons such as:

- you have proof the rent was paid; or,
- you have an order from an arbitrator giving you permission to keep all or part of the rent; or,
- you held part or all of the rent with prior notice to the landlord, for the cost of emergency repairs.

5. INFORMATION FOR LANDLORDS

If the tenant fails to move out of the rental unit, or if you believe the tenant does not intend to move out and the tenant's deadline to dispute this Notice has expired, you can file an Application for Dispute Resolution for an Order of Possession.

If the tenant applies to dispute this Notice and an arbitrator dismisses the tenant's application or upholds this Notice, the arbitrator must grant an Order of Possession for the landlord.

6. DIRECT REQUESTS

The Direct Request process is an expedited process where decisions are based on written documentation only. Direct Requests can only be submitted when the tenant does not dispute the notice to end tenancy. Specific service and proof of service requirements apply.

Visit <https://www2.gov.bc.ca/gov/content/housing-tenancy/residential-tenancies/solving-problems/tenancy-dispute-resolution/direct-request-process> for more information on the Direct Request process and to apply online.

The landlord will receive a proceeding package which must be served on the tenant within three days, and send the proof of service of the package to the Residential Tenancy Branch. An arbitrator will review all documentation and will make a decision, which is final and binding on both parties. There are limited reason(s) that will be considered for a review of the decision.

FOR MORE INFORMATION:

www.gov.bc.ca/landlordtenant

Public Information Lines: 1-800-665-8779 (toll-free) Greater Vancouver: 604-660-1020 Victoria: 250-387-1602

This is page 3 of a 3-page Notice. The landlord must sign page one of this Notice and must give the tenant every page.