

This form is used by a tenant to exercise their right of first refusal to enter into a new tenancy agreement respecting a rental unit upon completion of renovations or repairs for which the tenant's previous tenancy was ended under section 49 (6) (b) of the *Residential Tenancy Act*. **This right of first refusal applies only to a rental unit in a residential property containing 5 or more rental units.**

#RTB – 28

To the landlord (full names are required)

Use Schedule of Parties (RTB-26) to list additional landlords.

first and middle name(s)

last name or full legal business name

first and middle name(s)

last name or full legal business name

Landlord Address (address where documents will be given personally, left for, faxed, or mailed to the landlord for service)

unit/site #

street number and street name

city

province

postal code

daytime phone

other phone

fax number for document service

From the tenant (full names are required)

Use Schedule of Parties (RTB-26) to list additional tenants

first and middle name(s)

last name

email

daytime phone

other phone

fax number for document service

I am giving you this notice because I want the first opportunity to enter into a new tenancy agreement in respect of the following rental unit where I/we currently reside once the repairs or renovations are complete.

unit number

street number and street name

city

B.C.
province

postal code

My forwarding address and contact information is:

unit number

street number and street name

city

B.C.
province

postal code

email

daytime phone

other phone

fax number for document service

Tenant or Agent
Signature: _____

Tenant or Agent

Name (print or type): _____

Date

signed: _____

day

month

year

FOR MORE INFORMATIONRTB website: www.gov.bc.ca/landlordtenant

Public Information Lines 1-800-665-8779 (toll-free) Greater Vancouver 604-660-1020

Victoria 250-387-1602

Residential Tenancy Branch

Office of Housing and Construction Standards

#RTB-28 (2018/05)

Service Details. Complete below at time of service.

Notice In person On the door or in mail box or mail slot By mail By fax on:
served: Other (e.g. director's order for substituted service): _____ day month year

IMPORTANT INFORMATION FROM THE RESIDENTIAL TENANCY BRANCH**1. RIGHT OF FIRST REFUSAL**

The law says that if you give your tenant a notice to end tenancy for repairs or renovations under section 49 (6) (b) of the *Residential Tenancy Act*, your tenant has a right of first refusal to enter into a new tenancy agreement for the rental unit when the renovations or repairs are complete.

This means you must give your tenant the first opportunity to enter into a new tenancy agreement in respect of the rental unit before offering the unit to another prospective tenant. Failure to do so will result in a requirement to pay the tenant additional compensation.

2. TENANT'S OBLIGATION

Your tenant has to give you this Notice, completed in full, **before vacating the rental unit**.

3. LANDLORD'S OBLIGATION

If your tenant gave you this Notice before vacating the rental unit, you must:

1. Give the tenant a Notice of Availability (form RTB-35) at least 45 days before the date the rental unit will be available to rent.
2. Give the tenant a tenancy agreement to commence on that date.

4. COMPENSATION FOR THE TENANT

If you, the landlord, do not comply with the obligations provided in section 3 above, the law requires you to compensate the tenant in the amount of 12 months' rent payable under the current tenancy agreement unless there were extenuating circumstances that prevented you from complying.

5. IF YOU DO NOT HEAR BACK FROM YOUR TENANT

You can rent the rental unit to a different tenant if the tenant who is exercising the right of first refusal does not enter into a new tenancy agreement in respect of the rental unit on or before the availability date.

6. 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 or your agent 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 tenant either leaves the Notice in the mailbox or in mail slot at the address where you live or carry on business as a landlord; or attaching a copy to a door or other conspicuous place at the address where you live or carry on business as a landlord; or faxes it to a number you have provided as an address for service; or
- 5 days after the tenant sends the Notice by registered or regular mail to the address where you live or carry on business as a landlord.

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

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