



## Four Month Notice to End Tenancy For Demolition or Conversion of a Rental Unit

Residential Tenancy Act, S. 49(6)

**#RTB-29**

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

### HOW TO DISPUTE THIS NOTICE TO END TENANCY

You have the right to dispute this Notice **within 30 days** of receiving it by filing an Application for Dispute Resolution with the Residential Tenancy Branch online, in person at any Service BC Office or at 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.

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

First and Middle Name		Last Name		
First and Middle Name		Last Name		
Main Phone Number		Alternate Phone Number		
Unit #	Street # and Name	City or Town	Province	Postal Code

**From the Landlord:** (use form RTB-26 Schedule of Parties to list additional landlords)

First and Middle Name		Last Name		
Main Phone Number		Alternate Phone Number		
Unit #	Street # and Name	City or Town	Province	Postal Code

**I, the Landlord, give you Four Months' Notice to move out of the rental unit located at:**

Unit #	Street # and Name	City or Town	Province	Postal Code
You must move out of the rental unit by:		Date (DD/MM/YYYY)		
Name of Landlord/Agent		Signature of Landlord/Agent	Date Signed (DD/MM/YYYY)	

**I am ending your tenancy because I am going to: (check a box that applies)**

Demolish the rental unit

Convert the residential property to strata lots under the *Strata Property Act*

Convert the residential property into a not for profit housing cooperative under the *Cooperative Association Act*

Convert the rental unit to a non-residential use

I have obtained all permits and approvals required by law to do this work. Please complete the information below.

Date Issued	Issued by	Description	Permit Number

No permits and approvals are required by law to do this work.

**The work I am planning to do is detailed in the table below:**

Planned Work	Details of Work

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

**Notice served by:**

In person to the tenant or agent or with an adult over 19 who lives with the tenant

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

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

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

Fax it to a 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 Substituted Service Order)

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

# IMPORTANT INFORMATION ABOUT THIS NOTICE

## REQUIREMENTS FOR THIS NOTICE

### 1. LANDLORD MUST ACT IN GOOD FAITH

Your landlord has to intend in good faith to accomplish the purpose for ending your tenancy. A claim of good faith requires honesty of intention with no ulterior motive.

### 2. PERMITS AND APPROVALS REQUIRED BY LAW

Your landlord must have all permits and approvals required by law before they give you this Notice. Permits and approvals required by law can include demolition, building, or electrical permits issued by a municipal or provincial authority, a change in zoning required by a municipality to convert the rental unit to a non-residential use, and a permit or license required to use it for that purpose. Strata corporations may also require certain permits and approvals before a rental unit can be converted to a non-residential use and there may be strata bylaws that prohibit the rental unit from being used for a non-residential purpose.

### 3. EFFECTIVE DATE OF NOTICE

The effective date of this Notice is the date you must move out by. Your landlord must provide you with at least four months' notice and the effective date must be the last day of the rental period. For example, if you pay rent on the first day of each month, the effective date must be the last day of a month. For a fixed term tenancy agreement, the effective date cannot be earlier than the date the term ends.

### 4. LANDLORD MUST COMPENSATE YOU

On or before the effective date of this Notice, your landlord has to compensate you an amount equal to one month's rent payable under your tenancy agreement. You may withhold your last month's rent instead of being paid compensation. If you have already paid your last month's rent, your landlord has to refund you that amount.

### 5. YOU MAY BE ABLE TO MOVE OUT EARLY

If your tenancy is periodic (e.g., month-to-month), you can end the tenancy sooner than the date set out in this Notice as long as you give the landlord at least 10 days written notice and pay the proportion of rent due to the effective date of that Notice. Ending the tenancy early does not affect your right to the one month compensation described above. Fixed term tenancies cannot be ended earlier than the end of the term.

### 6. YOU MAY BE ENTITLED TO ADDITIONAL COMPENSATION

After you move out, if your landlord does not take steps toward the purpose for which this Notice was given within a reasonable period after the effective date of this Notice, your landlord must compensate you an amount equal to 12 months rent payable under your tenancy agreement. You must apply to the Residential Tenancy Branch to be awarded this compensation. Your landlord may be excused from paying this amount if there were extenuating circumstances that prevented your landlord from accomplishing the purpose for ending your tenancy or using the rental unit for that purpose for at least 6 months if the notice was given to you before April 3, 2024, or for at least 12 months if the notice was given to you on or after April 3, 2024.

## 7. 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 your address.

## 8. INFORMATION FOR LANDLORDS

You can file an Application for Dispute Resolution for an Order of Possession if you believe the tenant does not intend to move out and the tenant's deadline to dispute this Notice has expired. The tenant has 30 calendar days from the date of receipt of this notice to file an Application for Dispute Resolution. If the tenant disputes this Notice, a hearing will be held. You will have an opportunity to participate and prove that the tenancy should end for the reason you have indicated on this Notice. 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 on this Notice.

If an arbitrator upholds this Notice, the arbitrator must grant you an Order of Possession. If an arbitrator determines this Notice is not valid, the notice to end tenancy is cancelled and the tenancy continues. Keep copies of all Notices and record each date and how the Notice was given.

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.

## 9. 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.

Residential Tenancy Branch Contact Information	
Email:	<a href="mailto:HSRTO@gov.bc.ca">HSRTO@gov.bc.ca</a> <b>Note: Evidence cannot be submitted by email.</b>
Website:	<a href="https://www2.gov.bc.ca/gov/content/housing-tenancy/residential-tenancies">www2.gov.bc.ca/gov/content/housing-tenancy/residential-tenancies</a>
Information Line:	1-800-665-8779 (toll free)
In Person:	<b>Lower Mainland:</b> 400-5021 Kingsway, Burnaby, BC V5H 4A5 <b>Outside of the Lower Mainland:</b> Visit your local Service BC location: <a href="https://www2.gov.bc.ca/gov/content/governments/organizational-structure/ministries-organizations/ministries/citizens-services/servicebc#locations">www2.gov.bc.ca/gov/content/governments/organizational-structure/ministries-organizations/ministries/citizens-services/servicebc#locations</a>

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* and *Manufactured Home Park Tenancy Act*. If you have any questions regarding the collection of your personal information, please contact a Residential Tenancy Branch information officer by calling 604-660-1020 in Greater Vancouver; 250-387-1602 in Victoria; or 1-800-665-8779 elsewhere in British Columbia.