

**Tenant(s): This is a legal notice that could lead to you being evicted from your home**
**HOW TO DISPUTE THIS NOTICE**

You have the right to dispute this Notice to End Tenancy ("Notice") **within 10 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 by going to the Residential Tenancy Branch Office at #400 - 5021 Kingsway in Burnaby. You must name the strata corporation listed on this Notice as the respondent. The landlord information on this form is collected because the landlord is a party to the dispute, however the main dispute is between the tenant and the strata corporation. 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 (move out date) on this Notice.

**To the tenant(s): (use Schedule of Parties form #RTB-26 to list more than one tenant)**

first and middle name	last name
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email address provided to landlord as an address for service

**Tenant address:**

site/unit #	street # and name	city	postal code
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**Strata corporation information:**

name of strata	name of strata corporation contact
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email	Phone
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strata corporation #	street # and name	city	province	postal code
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**Landlord/strata unit owner information (collected for informational purposes only):**

(use Schedule of Parties form #RTB-26 to list additional landlords)

first and middle name	last name
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Site/unit #	street # and name	city	province	postal code
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email address provided to tenant as address for service

**On behalf of the strata corporation, you have One Month's Notice to move out of the rental unit 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
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Name of strata corporation contact person	Signature of strata corporation contact person	Date signed:
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Under Section 138 of the Strata Property Act a strata corporation can evict a tenant if the tenant has:

- Repeatedly or continuously contravened a reasonable and significant bylaw or rule; and,
- The contravention of that bylaw or rule has seriously interfered with another person's use and enjoyment of a strata lot, the common property or the common assets.

**Details of Cause(s): Describe what, where and who caused the issue and include dates/times, names etc. This information is required. This Notice is not valid if details are not provided.**

**Bylaw or rule: Attach a copy of the bylaw or rule that has been contravened. If a bylaw differs from the Standard Bylaws, you must include proof that the amendment has been filed with the land title office. This information is required.**

**Complete the details below at the time of service: (Not required on strata corporation's copy; failure to complete does not invalidate this Notice). Notice served by:**

- In person to the tenant or agent or with an adult (over 19) who apparently 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
- As ordered by the Director of the Residential Tenancy Branch (attach copy of Substituted Service Order)
- By fax to a fax number the tenant has provided to the landlord for service
- By email to the email address the tenant has provided to the landlord as an address for service

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

## **IMPORTANT INFORMATION ABOUT THIS NOTICE**

### **1. EFFECTIVE DATE OF THIS NOTICE**

The effective date of this Notice is the date you must move out by. The strata corporation must provide you with at least one month's 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. 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 strata corporation 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 strata corporation 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.**

### **2. INFORMATION FOR TENANTS**

You have the right to dispute this Notice **within 10 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 within 10 days, you are presumed to accept this Notice and must move out of the rental unit or vacate the site by the date set out on page one of this Notice (you can move out sooner.) If you do not file an Application, move, or vacate, the strata corporation can apply for an Order of Possession that is enforceable through the court.

### **3. INFORMATION FOR STRATA CORPORATIONS**

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 10 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(s) 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 an Order of Possession to the landlord named on this Notice. Under an Order of Possession, the rental unit must be returned to the strata lot owner's possession, but an arbitrator can also order that the strata corporation is permitted to file and enforce the order of possession at the BC Supreme Court (more information is available in [RTB Policy Guideline 27: Jurisdiction](#)).

If an arbitrator determines this Notice is not valid, the Notice to End Tenancy is canceled and the tenancy continues. Keep copies of all Notices to End Tenancy and record each date and how the Notice was given or received. You **MUST NOT** physically evict a tenant without a Writ of Possession, change the locks without an arbitrator's order, or seize a tenant's personal property without a court order.

#### **4. INFORMATION FOR LANDLORDS**

This Notice is between the strata corporation and the tenant. As the landlord, you do not have the ability to dispute this Notice. However, if the tenant disputes this Notice, a hearing will be held, and you will have an opportunity to participate and provide evidence. 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 an Order of Possession to the landlord named on this Notice. Under an Order of Possession, the rental unit must be returned to the strata lot owner's possession, but an arbitrator can also order that the strata corporation is permitted to file and enforce the order of possession at the BC Supreme Court (more information is available in [RTB Policy Guideline 27: Jurisdiction](#)). If an arbitrator determines this Notice is not valid, the Notice to End Tenancy is canceled and the tenancy continues.

The Residential Tenancy Branch does not have jurisdiction to determine whether a strata bylaw or rule is legally valid. If you believe a strata bylaw or rule referenced in this Notice is invalid, you may make a claim with the Civil Resolution Tribunal. If there is a challenge to the bylaws before the Civil Resolution Tribunal, the Residential Tenancy Branch may adjourn the dispute resolution hearing concerning the Notice to End Tenancy until the Civil Resolution Tribunal has made a decision. The Civil Resolution Tribunal cannot cancel an order of possession or change the director's decision about ending a tenancy.

**For More Information: [www.gov.bc.ca/landlordtenant](http://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 4 of a 4-page Notice. The strata corporation must sign page one of this Notice and must give the tenant every page**