



Policy Number: 07-004
Subject: Breach of Material Term
Chapter: Notice of Termination

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| Legislation | s. 20 |
| Definitions | Material term: any condition which is of specific relevance to the rental agreement. |
| Purpose | The purpose of this policy is to outline options for a landlord and a tenant where a breach of a material term or condition occurs. |
| Policy | <p>A landlord or tenant who commits a material breach may be given written notice of the breach by the other party and identify a reasonable time for the breach to be corrected.</p> <p>Where the landlord or tenant fails to remedy the breach within a reasonable time after receiving the notice, the other party may terminate the rental agreement early for cause.</p> <p>Where the premises are rented monthly, or for a fixed term or are a site for a mobile home, not less than one month before the end of the rental period;</p> <p>Where the premises are rented weekly, not less than one week before the end of the rental period. (Refer to legislation).</p> |
| Procedure Overview | <p>A material term or condition may include but is not limited to the following examples:</p> <ul style="list-style-type: none">• No smoking;• No pets;• Pay own utilities;• Internet included in rent• Washer and dryer included in rent <p>A breach of a material term or condition occurs when either the landlord or the tenant fails to abide by the term or condition of the rental agreement. Where a landlord or a tenant commits a material breach, the other party may give written notice of the breach and identify a reasonable time for the breach to be remedied.</p> |



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| | <p>If the party fails to remedy the breach, the other party may give notice to terminate the rental agreement for cause as follows:</p> <ul style="list-style-type: none">• not less than one month before the end of the rental period where the premises are rented from month to month or for a fixed term or a site for a mobile home; or• not less than one week before the end of the rental period. where the premises are rented week to week. |
| Forms & Form Letters | |
| X-Reference | See Service of Termination Notice - section 5-2 of this manual. |
| Policy Developed | September, 2000 |
| Policy Revised | January, 2002 August, 2021 |
| Other Resources | |