



Policy Number: 07-008
Subject: Sale of rental Premises
Chapter: Notice of Termination

Legislation	s. 2(c), 10(1) 5.
Definitions	Landlord: an owner; lessor or person who has authority to enforce the rights given to a landlord by the Act; and includes that person’s heir, assign, personal representative and successor in title.
Purpose	The purpose of this section is to establish procedures (i) for showing rental premises that are for sale; and (ii) outlining the rights and responsibilities of the new landlord once the sale is complete.
Policy	<p>Landlord’s Notice to Enter Premises A landlord is not permitted to enter the residential premises of a tenant without the consent of the tenant unless:</p> <ul style="list-style-type: none"> • Entry is required in the event of an emergency • The required written notice of entry is provided to the tenant; or • The tenant has abandoned the residence under section 31 of the Act. <p>After providing the tenant the required written notice, the landlord may enter the rental premises without the consent of the tenant and in the absence of the tenant.</p> <p>Under section 2(c) of the Act, a landlord is defined as the following:</p> <ul style="list-style-type: none"> • an owner of a residential premises, • an agent or another person who, on behalf of an owner: (i) permits the use or occupation of a residential premises under a rental agreement, or (ii) exercises powers and performs duties under this Act or the rental agreement, • the heirs, assigns and personal representatives of the owner; • a person, other than a tenant using or occupying a residential premises, who: (i) is entitled to use or occupy the residential premises, and (ii) exercises any of the rights of the owner or an agent on behalf of the owner.



	<p>Under Section 7 of the Act, the landlord is required to provide the tenant with the name, telephone number and address of an agent or other person who acts on behalf of the landlord and is required to inform the tenant in writing of any changes to this information.</p> <p>Termination Notice Issued Where a notice of termination has been given by either the landlord or the tenant, the landlord is required to make a reasonable effort to give the tenant at least 4 hours written notice of the entry which must be at a reasonable time for the purpose of exhibiting the premises to a prospective tenant or purchaser.</p> <p>No Termination Notice Issued If no termination has been issued by either the landlord or the tenant, the landlord is required to provide the tenant with at least 24 hours written notice of the entry at a reasonable time and for a reasonable purpose.</p> <p>New Landlord Where a landlord is replaced by new landlord the existing rental agreement remains in place. The new landlord is required to immediately provide the tenant with written notice of the following:</p> <ul style="list-style-type: none">• the landlord's name, telephone number and address where documents may be received, delivered or served by the tenant;• the name, telephone number and address of an agent or other person where the landlord has an agent or another person who is responsible for the residential premises;• stating the amount of the security deposit held under section 14 and the interest credited under subsection 14(7) to the date when the new landlord replaced the previous landlord.
<p>Procedure Overview</p>	<p>A technically valid Landlord's Notice to Enter Premises must be in writing and contain the same information identified in the form, Landlord's Notice to Enter Premises. To minimize the risk of error in writing the termination notice, landlords are encouraged to use the form provided by the Residential Tenancies Office.</p> <p>Landlords and tenants should attempt to work out a schedule or come to a mutual agreement regarding the showing of rental premises, bearing in mind the landlord's right to enter, as well as the tenant's right to reasonable privacy. A mutual agreement under these circumstances proves beneficial to all parties.</p>



	<p>Where the landlord is represented by another person, in showing the property, the landlord has a responsibility to inform the tenants in writing of the name and contact information for that person.</p> <p>While a landlord does not require the tenant's consent or presence to enter the property when proper written notice is given, the landlord does not have a right to restrict or prohibit the tenant from being present at the premises when the property is being shown to prospective tenants or buyers.</p> <p>A landlord who enters the rental unit (especially where the tenant is not present) must take appropriate steps to ensure the security of the tenant's personal property.</p>
Forms & Form Letters	Landlord's Notice to Enter Premises
X-Reference	
Policy Developed	September, 2001
Policy Developed	January, 2002 August, 2021
Other Resources	