

# Landlord's Notice to Terminate - Standard

Residential Tenancies Act 2018 - Section 18(2), 18(3)

## Instructions

- Use this form when you want to inform the tenant that you are terminating the rental agreement as identified and permitted in the *Residential Tenancies Act, 2018* and you require the tenant to move out. All sections of this form are required to be completed. The landlord completing the form must place their signature at the bottom where required. Ending the rental agreement for one tenant named on the rental agreement ends the rental agreement for **all** tenants.

## Authority and Notice Requirements

Section 18(2)(a) Week to week rental agreement	If the rental agreement is week to week, the landlord must provide the tenant with notice of not less than 4 weeks before the end of the rental period.
Section 18(2)(b) Month to month rental agreement	If the rental agreement is month to month, the landlord must provide the tenant with notice of not less than 3 months before the end of the rental period.
Section 18(2)(c) Fixed term rental agreement	If the rental agreement is fixed term, the landlord must provide the tenant with notice of not less than 3 months before the end of your fixed term.
Section 18(3)(b) Rental agreement for a mobile home site	If the rental agreement is for a mobile home site, the landlord must provide the tenant with notice of not less than 6 months before the end of the rental period.
Before the end of the rental period	The notice period must include a full rental period. For example, in a fixed term rental agreement where rent is paid monthly on the 1st of each month, if rent is paid on January 1st, the tenant must receive the notice from the landlord on or before January 1st for the rental agreement to end on March 31st. If the landlord provided notice to the tenant on December 15th, the proper termination date would still be March 31st and not March 14th because rent is paid on the 1st of the month and the notice period must include a full rental period.
Counting the days of notice required	The day the notice is received by the tenant and the day the tenant is required to move out are not included in counting the number days in the notice period required to be provided.
Signature	The landlord issuing the termination notice must place their signature on the form where required.

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## **Service Requirements** (Section 35(2))

- The landlord's notice to terminate may be delivered to the tenant(s) by:
  - sending it electronically where: (i) it is provided in the same or substantially the same form as the written notice or document; (ii) the tenant has provided an electronic address to receive documents, and (iii) it is sent to that electronic address;
  - giving it personally to the tenant;
  - giving it to a person 16 years of age or older who apparently lives with the tenant;
  - posting it in a conspicuous place on the tenant's residential premises;
  - placing it in the tenant's mailbox or under a door in the tenant's residential premises;
  - sending it to the tenant by prepaid registered mail or prepaid express post or by courier service at an address: (i) provided by the tenant; or (ii) where the tenant carries on business.
- Where the landlord's notice to terminate is sent electronically as indicated above, it will be considered served on the day it is sent if it is sent before 4pm. If the notice is sent after 4pm, it will be considered to be served on the next day which is not a weekend or statutory holiday.
- Where the landlord's notice to terminate is sent by registered mail or express post, it will be considered to be served on the 5th day after mailing.

## **Access to Information and Protection of Privacy**

- Service NL collects personal information relating to landlords and tenants under the authority of the Residential Tenancies Act, 2018. Personal information collected by the Government of Newfoundland and Labrador is protected under Section 40(1) of the Access to Information and Protection of Privacy Act, 2015. If you require more information please contact the Director of Residential Tenancies at (709) 729-2660.

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<b>Part 1 To: Tenant Information</b>		
Name Tenant #1		Name Tenant #2
<b>Part 2 From: Landlord information</b>		
Landlord Name		
<b>Part 3 Residential Premises Address</b>		
Street Number and Name		Apartment Number
City or Town	Province NL	Postal Code
<b>Part 4 Move Out Date</b>		
I am terminating the tenancy and require you to move out of the residential premises on:		Date (month day, year)
<b>Part 5 Authority</b>		
<b>I am terminating the rental agreement under the authority of the <i>Residential Tenancies Act, 2018</i> where the rental agreement is: (check one of the following)</b>		
<input type="checkbox"/> <b>Week to week</b> - Section 18(2)(a) of the <i>Act</i> requires the tenant to move out not less than 4 weeks before the end of the rental period after notice is served.		
<input type="checkbox"/> <b>Month to month</b> - Section 18(2)(b) of the <i>Act</i> requires the tenant to move out not less than 3 month before the end of the rental period after notice is served.		
<input type="checkbox"/> <b>Fixed Term</b> - Section 18(2)(c) of the <i>Act</i> requires the tenant to move out not less than 3 months before the end of the fixed term period after notice is served.		
<input type="checkbox"/> <b>Mobile Home Site</b> - Section 18(3)(b) of the <i>Act</i> requires the tenant to move out not less than 6 months before the end of the rental period after notice is served.		
<b>Part 6 Landlord Signature</b>		
Landlord Signature		Date (month day, year)