

# OpenDoors

## My rental unit is up for sale

### What happens if a landlord decides to sell a rental unit?

If a rental unit has a tenant in it, a landlord must give the tenant notice before coming in to show the home to buyers.

Tenants need to receive at least 24 hours written notice that the landlord plans to enter their rental unit. If the date or time is not convenient for tenants, they can suggest another date or time.

### What happens when my rental unit is sold and the owner wants to move in?

If new owners want to move into the unit, they must ask the landlord to give you, as the tenant, a notice of termination (a notice that ends the tenancy). The new owners can only ask for you to move out, if they, their spouse, their adult child or stepchild, parent or parent-in-law are moving in. A landlord can only give a notice of termination after the rental unit is sold and all of the conditions of the sale are final.

If the rental agreement is month-to-month, the landlord must give the tenant notice to move based on the vacancy rate in the area where the unit/building is located. Currently, the notice period is three months. Landlords and tenants are encouraged to visit the branch's website at [www.manitoba.ca/rtb](http://www.manitoba.ca/rtb) to find out the current notice period required.

If the tenancy agreement is for a fixed term (ex: one year), the landlord must give the tenant written notice that the tenancy agreement will not be renewed at the end of the year. The landlord must do this at least three months before the agreement ends. For example, if the tenancy agreement ends on August 31, the landlord would need to give the tenant written notice by May 31.

### What if the tenant has school-age children?

If there are school-age children living in the unit and attending a school near the unit, the tenant can stay in



the rental unit until the end of the school year (June 30). This exception applies to both month-to-month and fixed-term agreements. If a fixed term tenancy ends during the school year, the landlord must provide the three month notice ending the tenancy, and still allow the tenant to stay until the end of the school year.

Tenants who live in a unit that has been sold and get a three month notice to move out can choose to move out earlier. In this situation, the tenant only has to give the landlord notice of one rental payment period (ex: one month).

When a tenant receives notice to move out because the property is sold, the landlord must pay the tenants' reasonable moving expenses, up to a maximum of \$500.

For more information on the sale of rental units, contact the branch office nearest you or go to the Residential Tenancies Branch website.

# When a unit is exempt from rent regulation...

Sometimes rental units or whole buildings or complexes are exempt from rent regulation. This means that for those units, the annual rent increase guideline does not apply. Landlords can choose the amount for the increase each year.

Some common reasons for a building to be exempt:

- Newer construction of units can mean an exemption. For example, if the first tenant moved into the building after April 9, 2001, it is exempt for 15 years. If the first tenant moved into the building after March 7, 2005, the unit is exempt for 20 years.
- If a landlord applied for – and got – approval for a Rehabilitation Scheme (on a whole complex) from the Residential Tenancies Branch, an exemption from rent regulation would apply for a certain period.
- A specific unit can be exempt in a building or complex. This can happen when the rent is over a certain amount each year (the government sets this amount each year). It can also happen when a landlord applies for – and gets – approval for a Specified Unit Rehabilitation Scheme from the branch.

During an exemption period, landlords can set the rent at an amount they choose once per year, as long as they give tenants three months written notice.

If you are a landlord and have questions about your exempt units, contact your nearest Residential Tenancies Branch office. If you are a tenant and have questions about your unit, call the branch or go to the website.



## Notice to New Tenant Forms are a Must for Landlords

The Notice to New Tenant (NTNT) form is a Residential Tenancies Regulation form that shows:

- What the current rent on a unit is and when it was first charged.
- What the rent was before the current rate.
- What the date and amount of an increase will be if the rent is going up within three months of the start of the tenancy.
- If averaging was used, how the current rent was figured out (section 132 of *The Residential Tenancies Act*).
- Whatever other information is required on the form.

It is very important for landlords to give new tenants this form at the start of the tenancy, when the tenant agrees to take the unit. **Without this form, any allowable rent increase paid to the landlord when a new tenant moves in may be voided.**

This means the Residential Tenancies Branch may roll the rent back to the amount it was before the tenant moved in. If that happens, the landlord may have to pay the tenant back any money that was collected over the original amount of the rent.

If you are a new landlord or if you need help filling out the form for the first time, call or visit the branch office nearest you. This form is available on our website for landlords to fill in and submit online. Or, you can print the form off, fill it in and send it or drop it off to the nearest branch office.

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# Maximum discounts for new tenants

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The *Residential Tenancies Act* regulates the maximum discount landlords can offer new tenants when they move into a vacated unit. This maximum applies when tenants move into a **building of three units or less**.

There is no limit on the amount of discount a landlord can offer for units in buildings with four units or more – as long as the rent before the discount is an amount allowed under the Act.

When a unit in a building of three units or less is vacated, landlords can set the rent on these units at an amount they choose when they rent to a new tenant. Sometimes landlords set the rent, but offer new tenants a discount as incentive to rent.

The Residential Rent Regulation limits the discount for units in buildings of three units or less to 25 percent of the total rent. For example, if landlords decide that rent on a unit is \$800, they are allowed to offer a maximum discount of \$200. The total rent payable by the tenant would be \$600. If the landlord has a reason to remove a discount, the total rent payable would be a maximum of \$800.

The Act sets out specific requirements when setting or removing a discount. If you need help or information on discounts, contact the nearest branch office or go to the website.

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# Help Break the Silence on Domestic Violence

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Domestic violence happens when people in a relationship (now or in the past) either abuse or are abused by the other person in the relationship. The abuse can be physical, mental or sexual and can happen to anyone.

Both landlords and tenants are often aware of this kind of abuse and are unsure about what to do. It's important to call the police if you think a neighbour is (or if you are) in immediate danger from an abuser.

Some signs that a person may be a victim of domestic abuse:

- They have frequent injuries (cuts, bruises, broken bones).
- They seem too withdrawn or isolated from friends and family.
- They seem sad, lonely and afraid.

Some signs that a person may be abusive:

- They seem jealous, possessive and controlling of the other person.
- They criticize and put the other person down.
- They take over conversations and don't let the other person talk.
- They check up on the other person with a lot of phone calls, texts or visits.

If you are being abused and you are in immediate danger, **call the police**.

If you are not in immediate danger, but want help:

- Phone: 1-877-977-0007
- TTY: 1-888-987-2829

These are toll free phone lines for everyone, province-wide.

Or, go to: [www.gov.mb.ca/domesticviolence](http://www.gov.mb.ca/domesticviolence).

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*Domestic Violence (continued from previous page)*

To find out more about domestic violence and how you can help:

Phone: 1-877-977-0777.

This is the province-wide toll free domestic violence information and crisis line.

Or, go to:

[www.gov.mb.ca/stoptheviolence/know\\_someone](http://www.gov.mb.ca/stoptheviolence/know_someone).

**Important:**

*The Residential Tenancies Act* says that victims of domestic violence may be able to leave a tenancy agreement early, if there is a threat to them or the safety of their children if they stay in their rental unit. For more information about this, call or go to the Residential Tenancies Branch office nearest to you.

## Talking to abuse victims:

If you think it may help to talk to someone who is a victim of domestic violence, follow these guidelines:

- If you are going to speak to the victim about the abuse, be sure she/he is alone in a safe place. Never do it if the abusive person is around or can hear you.
- If the person doesn't want to talk about the abuse, don't force them.
- Encourage the person being abused to call the help line or to contact some other support service (ex: religious leader or social worker).
- Express your concern for their safety. Avoid blaming the victim, or criticizing their decisions.
- Do not talk to the abusive person about the abuse. It may put you and or the abused person in danger.

## Need information?

**Winnipeg at**  
302-254 Edmonton Street  
or call 204-945-2476

**Brandon at 157-340 9th Street**  
or call 204-726-6230

**Thompson at**  
113-59 Elizabeth Drive  
or call 204-677-6496  
Toll free 1-800-782-8403

**Online: [manitoba.ca/rtb](http://manitoba.ca/rtb)**  
**Offline: in person or by phone**  
**Visit your branch office**  
**Monday to Friday**  
**from 8:30 a.m. to 4:30 p.m.**

*This publication is available in alternate formats upon request.*

*To subscribe to Open Doors, order bulk copies, give us your comments, or get more information, call 204-945-2476 in Winnipeg, toll-free 1-800-782-8403 or visit [manitoba.ca/rtb](http://manitoba.ca/rtb).*

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Publications Mail Agreement No. 40065629  
Return Undeliverable Canadian Addresses to  
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Winnipeg, MB R3H 1H3