



OpenDoors

Changes to the Notice to Move requirements

Landlords must give tenants a certain amount of notice if they need tenants to move out. Reasons for wanting tenants to move include:

- the landlord is moving into the unit
- the rental unit is being renovated and tenants cannot live in the unit while the work is being done
- the rental unit is being demolished
- the unit is being changed into something other than a residential rental unit.

The amount of notice landlords must give to tenants depends on the local vacancy rate. The vacancy rate is the number of rental units available to rent in the area where the rental unit is located.

If the vacancy rate is:	Tenants must receive notice of:
three per cent or higher	three months
Between two and 2.9 per cent	four months
Below two per cent	five months

The Residential Tenancies Branch (RTB) uses the vacancy rates set out in the Canada Mortgage and Housing Corporation's most current fall edition of the *Rental Market Report*.

The fall 2015 *Rental Market Report* showed changes to the vacancy rates in several areas of Manitoba. This affects the length of notice a landlord must give.

Area	Notice Required
Winnipeg	four months
Hanover	four months (changed)
Brandon	four months (changed)
Thompson	four months (changed)
Portage la Prairie	three months
Steinbach	three months
Winkler	five months (changed)
Manitoba	four months (outside city centres)

A tenant in a fixed-term tenancy (ex: one year), must receive notice to move that coincides with the end of their tenancy agreement. For example, if a tenancy ends on July 31 and the rental unit is in Winnipeg, the landlord must give the tenant notice to move on or before March 31.

Notice to Move When Your Rental Unit is Sold

If a landlord sells the rental unit and the new buyer wants to move in, the following rules apply:

- In a **month-to-month tenancy**, the landlord must give notice to move based on the vacancy rate. If the vacancy rate where the unit is located is **below three per cent**, the landlord must give the tenant three months' notice. If the rate is **three per cent or higher**, then only one month's notice is needed.
- In a **fixed-term tenancy**, the landlord must give the tenant **three months' notice that coincides** with the end of the tenancy agreement (ex: If the tenancy ends on October 31, the landlord would need to give notice on or before July 31).

There are special rules that apply when tenants have **school-aged children** going to a school that is reasonably close to the rental unit. For more information, contact your nearest RTB office.

For more information about giving or receiving a notice to move, contact your nearest RTB office.



When a Rental Property is Sold

What happens to tenants if a rental property is sold? The answer to this question depends on the buyer of the rental property.

The buyer may continue to rent out the rental property. In this case, any current tenancy would continue. Once the buyer has assumed possession of the rental property, they must tell each tenant - in writing - that they are the new landlord(s) and include their contact information. They must also let tenants know about any deposits (ex: security, pet damage and tenant services security deposits) they now hold.

If the buyer wants to move into the rental property, the current landlord must give a tenant a notice of termination (notice to move out). This can happen if the following people are moving into the unit:

- the buyer
- the buyer's spouse
- an adult child of the buyer (or the buyer's spouse)
- the parents of the buyer (or the buyer's spouse)

It is important to know that a landlord cannot give a tenant a Notice of Termination for sale of property unless:

- the rental unit is sold **and**
- the buyer has asked, in writing, that the current landlord give the tenant written notice to end the tenancy agreement because one of the people mentioned above are moving in

How much notice must tenants get if the buyer wants to move in?

If tenants are in a **month-to-month tenancy**, they must receive notice based on the vacancy rate in the area of the rental unit. The fall issue of the Rental Market Report, published by Canada Mortgage and Housing Corporation every October shows the vacancy rate. The branch has the most up-to-date vacancy rates on our website.

Tenants in a **fixed-term tenancy** (ex: one year) must receive three months notice that coincides with the end of their tenancy agreement. For example, if the tenancy agreement ends on April 30, the tenant must receive notice to end the tenancy by January 31.

Tenants who have children who go to a school that is reasonably accessible to the rental unit can stay in the rental unit until the school year is over. For example, if the lease ends on January 31, the landlord would give notice by October 31. However, the tenant could stay in the unit until June 30.

Tenants who get notice to move for this reason can claim up to \$500 for moving expenses from the landlord.

For more information on the sale of a property, visit manitoba.ca/rtb or call or visit the branch office nearest you.

Remember

If you live in a single family, one storey rental home, you are responsible for cleaning the inside and outside of your windows and patio doors. Tenants in multi-storey rental units are responsible for cleaning the inside of windows, and the outside of windows and doors that open onto a balcony.

About Airbnb and Rental Units

What is Airbnb?

Airbnb is a website that links travellers looking for a place to stay with home owners looking to rent out a couch, a room, or their home – for a night or for longer. The service started in 2008 and has grown to include over one million listings in more than 190 countries.

It is important for tenants in Manitoba to know that they cannot rent out their rental unit or a part of their rental unit on Airbnb or any other similar site, without written permission from their landlords.

Without written permission from the landlord, renting out all or part of a unit could lead to eviction. Tenants should talk to their landlord before agreeing to rent out their unit.



What's New at the RTB

When the RTB has news to share, we post it on our website at manitoba.ca/rtb under What's New.

You will find information about such topics as:

- the annual rent increase guideline amount
- changes to forms or fees
- new information materials (ex: brochures, fact sheets)
- changes to *The Residential Tenancies Act* or Regulations
- changes to the notice to move.

For the most up-to-date information, visit What's New at gov.mb.ca/cca/rtb/ot/whatsnewpage/whats_new.html

House Rules

When tenants enter a tenancy agreement with a landlord, there are certain rights and responsibilities that come along with this. These include things like paying your rent on time, having the right to privacy, not disturbing other tenants and having your concerns looked into by the landlord.

Sometimes, landlords create other rules that they expect tenants to follow. These are called house rules or reasonable rules. *The Residential Tenancies Act* sets out how landlords can make these rules. The act says that house rules should be clear, specific and must be:

- in writing
- given to tenants when they move into a unit
- applied to all tenants in a fair way

Some examples of house rules include rules about barbecues on balconies, pet ownership, overnight guests or installing a satellite dish.

House rules must relate to the tenant's:

- use, occupancy or maintenance of the unit or the complex
- use of services and facilities (ex: laundry room)



Avoid Unwanted Hitchhikers

Garage sale season and the City of Winnipeg sponsored give-away weekend will soon be here. If you are buying something at a garage sale or picking up an item during the give-away weekend, be sure to check such items for bed bugs before bringing them into your rental unit.

For more information about how to check for bed bugs, go to gov.mb.ca/asset_library/en/bedbugs/brochure.pdf or call the provincial bed bug hotline at 1-855-362-2847.

House rules must be reasonable. They can be created to:

- promote the fair use of services and facilities
- promote the safety, comfort or welfare of people working or living in the complex
- protect property from abuse

To be reasonable, house rules must:

- have a clear purpose
- apply equally to all tenants
- make it clear how tenants should comply with the rules

If a tenant is unsure about a house rule, they should ask the landlord or caretaker about it. It is important to follow house rules. Not following them could lead to eviction. If a tenant and landlord can't agree about whether a house rule is fair, they can come to the Residential Tenancies Branch (RTB) and a hearing will be held to decide the matter.

For more information about house rules:

Tenants - call or visit the RTB office nearest you or visit gov.mb.ca/cca/rtb/tenant/rules.html

Landlords – call or visit the RTB office nearest you or visit gov.mb.ca/cca/rtb/landlord/rules.html



Learn More about RTB through Presentations and Information Sessions

An important part of the work the RTB does every day is helping tenants and landlords understand their rights and responsibilities under *The Residential Tenancies Act*. We do this over the phone, in person, by email and through our website.

Another way we get information to our clients is through group presentations. If a group of landlords, tenants, support workers in the community, or other agencies need more information about RTB issues, branch staff will come out and talk to your group. Some popular topics include:

- knowing your rights and responsibilities
- information about rent increases
- how the RTB can help you
- preventing eviction

We can also give presentations designed for your group's specific needs.

If you would like to set up an information session:

- Go to manitoba.ca/rtb, Online Tools, and click on Book a Presentation. You will find an online form you can fill out, or you can print the form and mail or fax it to the branch (see our address below).
- Call the information line at 204-945-2476 in Winnipeg or toll free in Manitoba at 1-800-782-8403.

To be sure that we can meet your group's needs, please send your request at least three to four weeks before your presentation date.

Need information?

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

Brandon
143-340 9th Street
or call 204-726-6230

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

Online: 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.

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