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The Residential Tenancies Branch

FACT SHEET

Cette information existe également en français.
Composez le 204-945-2476.

Administrative Penalties

Most landlords and tenants understand their rights and responsibilities under *The Residential Tenancies Act* (the Act) and *The Life Leases Act*. They either settle disputes on their own or come to the Residential Tenancies Branch (the branch) for help resolving (coming to a decision about) an issue.

Sometimes landlords or tenants don't do what these Acts say they must do, which can be a serious issue. If the failure to follow either Act is serious or repeated, the branch can charge the person responsible an administrative penalty (or fee). This penalty is money due to the government. The maximum penalty cannot be more than \$5000. See a copy of the Residential Tenancies Regulations at www.manitoba.ca/laws for more information about the penalties.

What type of actions could result in penalties?

Sometimes landlords and tenants cannot resolve their problems (for example, refusing to return a tenant's property or refusing to let a landlord enter to do repairs) and the branch gets involved. The branch may issue an Order (for example, ordering the landlord to return the tenant's property or ordering the tenant to let the landlord in to do repairs). If the person doesn't follow the branch's order, the branch could impose an administrative penalty.

Sometimes landlords or tenants repeatedly breach (don't do) one of the following obligations set out in the Act:

- the duty not to change the rental unit lock or door
- the landlord's right to enter the rental unit (for example, a landlord must give a tenant written notice to enter the rental unit unless there is an emergency)
- the duty not to withhold vital services (for example, heat, water, electricity)
- the duty not to seize tenants' property (for example, a landlord can't take a tenant's personal property because the tenant is late with the rent)

(see over)

- the duty of tenants not to impair the safety of the landlord or others in the residential complex (for example, tenants cannot tamper with a smoke alarm)
- return a deposit and interest to tenants when ordered by the Branch to do so
- make repairs to a rental unit when ordered by the Branch to do so
- follow the regulations surrounding cash management services for tenancies that include tenant services
- allow tenants their right of first refusal after giving a notice of termination for renovations
- collect deposits in excess of the amount allowed under the Act – see our fact sheet on Deposits for information on what is allowed

If landlords or tenants continue the behavior and go against the Order, the branch may impose administrative penalties. The branch may issue a notice of administrative penalty setting out:

- what branch Order the person did not comply with
- what section of the Act the person breached
- the amount of the penalty
- when and how it must be paid and
- the person's right to appeal to The Residential Tenancies Commission

This is a brief explanation of **administrative penalties**. Please contact the Residential Tenancies Branch or go to www.manitoba.ca/rtb for more information.

This information is available in multiple formats upon request.