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The Residential Tenancies Branch

FACT SHEET

Giving Notice:

For Non-Payment of Rent – Information for Landlords

Non-payment of Rent:

A landlord can give a tenant a notice to move out if the tenant has not paid their rent. If the tenant fails to pay their rent within three days after it is due, a landlord may give the tenant a notice terminating the tenancy. For example, if rent is due on May 1 and the tenant doesn't pay their rent, then on May 5, the landlord can give the tenant a notice of termination. A notice of termination must be in writing and the landlord must sign it.

A notice of termination for non-payment of rent must be in the prescribed form and include the following:

- the total amount of rent owing
- the date when the tenant must move out
- why the tenant has to move
- the address where the tenant lives
- a statement that says the tenant can dispute the landlord's notice
- a statement that says if the tenant pays the total amount shown on the notice and any other amount that is owing on the date they pay, they will not have to move out unless the landlord tells them in writing that the notice is still in effect.

Payment of Security Deposit, Tenant Services Security Deposit, or Pet Damage Deposit with NSF cheque:

A landlord may give a new tenant a notice of termination if they write a bad or NSF cheque for their security deposit or tenant services security deposit. This can be a five day written notice to move out. If the tenant pays the deposit and any administrative costs (for example, the allowable NSF fee) within the five days, they can stay in the rental unit.

If a tenant gives a landlord an NSF cheque for a pet damage deposit, the landlord can give the tenant a five-day notice to remove the pet. If the tenant pays the deposit and any administrative costs within the five days, the notice is cancelled. If the tenant does not pay the amount owing and does not remove the pet, the landlord can give the tenant a five-day notice of termination.

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

(see over)

Serving the Notice:

A landlord must deliver a notice of termination in person to an adult in the residence. If the landlord is delivering this notice to a tenant at their workplace, they must deliver it to that person directly. They must attempt to serve the tenant at different times on different days.

After the landlord gives the notice to the tenant, the tenant may offer to pay the rent. If the tenant offers to pay, the landlord can:

1. take the rent and allow the tenant to stay in the rental unit; or
2. take the rent and tell the tenant immediately, in writing, that the landlord still considers the tenancy to be terminated and that the tenant still has to move because they've been habitually late (this means late at least three times in the past 12 months) paying their rent. A landlord must:
 - give the tenant the written confirmation at the time of payment or shortly thereafter, if the tenant paid the rent in person to the landlord or caretaker; or
 - send the notification out within one business day, if the tenant deposited or mailed the rent money to the landlord

If the landlord can't serve the tenant, they can come to the branch to apply for substitutional service. The branch may give the landlord permission to serve the tenant in some other way (ex. by placing the notice of termination on the door, in the mailbox or under the door).

The branch offers the Notice of Termination for Non-Payment form on our website in fill and print format. It is also available for pick up at the branch. If you have questions, please contact the branch.

This is a brief explanation of **Giving Notice for Non-Payment of Rent**. 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.