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The Residential Tenancies Branch

FACT SHEET

Tenancy Agreement

What is it?

A tenancy agreement is a contract between a landlord and a tenant for when a tenant lives in a rental unit.

Are there different kinds of tenancy agreements?

A tenancy agreement can be written, oral or implied.

A written tenancy agreement must be signed by the landlord and the tenant. The landlord must sign the tenancy agreement and give the tenant a copy of the agreement, within 21 days of the tenant signing it.

A tenancy agreement may have a specific date when it ends.

For example: January 1 to December 31. This is called a fixed-term tenancy agreement. Another kind is a month-to-month tenancy agreement.

What does a tenancy agreement do?

A standard residential tenancy agreement provides information on:

- **the date the tenancy begins and ends;**
- **the amount of the rent and the date it must be paid;**
- **what is included in the rent;**
- **the names of the people who will live in the rental unit with the tenant;**
- **the utilities the tenant is responsible to pay; and**
- **rules and conditions from *The Residential Tenancies Act* as well as the landlord's own reasonable house rules.**

(see over)

If the tenancy agreement is for a fixed term, the landlord must give the tenant a new tenancy agreement no later than three (3) months before the end date of the existing agreement.

For example: If a fixed-term tenancy agreement is from January 1 to December 31, the landlord must give the tenant a new tenancy agreement on or before September 30.

The new agreement must be for the same length of time and include the same benefits and obligations as the existing agreement. The landlord must advise the tenant in writing that if the tenant plans to stay in the rental unit, the new agreement must be signed and returned to the landlord at least two (2) months before the end of the existing agreement. If the tenant does not sign and return the new agreement to the landlord as required, the tenancy is terminated.

If the landlord does not give the tenant a new tenancy agreement and the tenant continues to live in the rental unit after the end of the existing agreement, the existing agreement is renewed for another term. The term of the renewed agreement is the same term as the term of the original agreement or 12 months, whichever is less. The landlord may increase the rent during the term, with three months' written notice to the tenant. A tenant may give notice of one rental payment period to end an agreement that is automatically renewed because the landlord failed to provide a renewal.

For more information

This fact sheet is only a brief explanation. For more information contact:

The Residential Tenancies Branch

This information is available in multiple formats upon request.