



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:

- Landlord is moving into the unit.
- Landlord is renovating the rental unit and tenants cannot live in the unit while the work is being done.
- Landlord is demolishing the rental unit.
- Landlord is changing the use of the unit to something other than a residential rental unit.

The amount of notice landlords must give to tenants depends on the vacancy rate in the community/city/town/region. 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
3.0 per cent or higher	three months
between 2.0 and 2.9 per cent	four months
below 2.0 per cent	five months

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

The fall 2013 *Rental Market Report* showed changes to the vacancy rates in several areas of Manitoba. This changes the length of notice a landlord is required to give.

Area	Vacancy Rate	Notice Required
Winnipeg	2.5 per cent	four months (changed)
Brandon	1.9 per cent	five months
Thompson	1.8 per cent	five months
Portage la Prairie	2.8 per cent	four months (changed)
Steinbach	3.2 per cent	three months (changed)
Winkler (new area)	1.3 per cent	five months
Manitoba average (outside city centres)	2.4 per cent	four months (changed)

A tenant in a fixed-term tenancy (for example, one year), must receive notice to move that coincides with the end of their tenancy agreement. For example, if a tenancy ends on July 30 and the rental unit is in Winnipeg, the landlord would need to give the tenant notice to move on or before March 31.

Important Information:

If a landlord **sells** the rental unit and the new buyer wants to move in:

- 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 necessary.
- In a fixed-term tenancy, the landlord must give the tenant three months' notice that coincides with the end of the tenancy agreement.

There are special rules in cases where tenants have school-aged children going to a school that is reasonably close to the rental unit. To find out more about these rules, contact your nearest branch.

If you have questions about giving or receiving a notice to move, contact the branch office nearest you for more information.

The logo for 'The Good News Corner' features the words 'The Good News' in a large, bold, green font, with 'Corner' in a smaller, grey font below it. The entire logo is enclosed in a white rectangular box with a thin black border.

The Good News Corner

- a new feature of *Open Doors*

Landlords and tenants have a unique relationship. Each depends on the other for different things every month. The Residential Tenancies Branch wants to feature one story in each newsletter – a story that highlights something that has gone right!

- If you have a good news story about your rental experience or relationships, we'd like to hear from you.
- If you know of a rental program or place that is successfully introducing something new, we want to hear about it.

Please let us know about a good news story you have experienced. You can email us at rtb@gov.mb.ca with the subject line: Good News Corner. You can write to us at 302-254 Edmonton Street, Winnipeg MB R3C 3Y4, attention Good News Corner.

Please include your phone number or email address if you want us to contact you about the story and explore it further.

Repairs are a Good Investment

Well-maintained rental units benefit tenants and landlords. Under *The Residential Tenancies Act*, landlords must keep rental units in good condition – ongoing maintenance protects landlords' investments and gives tenants quality housing. To maintain the standards of rental housing, landlords need to inspect rental units and complexes regularly to see what repairs are needed and tenants need to let landlords know quickly, if there are problems.

Landlords must tell tenants in advance about regular maintenance inspections to identify any problems or maintenance needs. When landlords find something that needs repair or maintenance, they must tell tenants, in writing, that someone will be entering the unit to do the work (see box for rules on giving tenants notice).

Tenants must let landlords know about a maintenance or repair problem as soon as they realize that something needs to be fixed. This allows landlords to make repairs before a small problem becomes bigger and often more expensive. For emergency repairs, tenants should contact the landlord or caretaker in person or by phone. For non-emergency repairs, tenants should call the landlord or send a note with the details.

When tenants give landlords a request for repairs, landlords should acknowledge the request as soon as reasonably possible and let the tenant know what will be done. Sometimes there are legitimate reasons for a delay in making a repair, such as bad weather, the need to order repair materials, priorities on a caretaker's maintenance schedule or the need to find a specialist for a specific job. Landlords should keep tenants informed about unexpected delays. This helps avoid frustration, misunderstandings and conflicts.

Tenants need to co-operate with landlords in getting repairs done. After receiving proper notice ahead of time, tenants must allow landlords, or the trades people they hire, to enter the rental unit to do the work. If a tenant has a problem with the time the landlord plans to enter, the tenant can suggest another time. However, the tenant must ultimately allow the landlord to enter to make the repair. Tenants can help the repair process go faster if, where possible, they move furniture and other belongings away from the work area to allow the work to be done.



Tenants must give a copy of the completed form to the landlord, send a copy to the branch, and keep a copy for themselves. When the branch receives a form, an officer contacts the landlord to discuss the request. In many cases, landlords agree to do the repairs by a specific date. If this happens, the branch will check back with the landlord and tenant to confirm that the work is completed and the case will be closed.

If, for some reason, a landlord refuses to do the repairs, a branch repair officer will usually inspect the rental unit to see what needs to be done. If the officer agrees that the repairs are necessary and the tenant's rent is paid up to date, the officer will issue an order to the landlord to make the repairs before a certain date. Most cases are usually resolved at this stage without any further branch involvement.

However, if a landlord still refuses to do the work, the branch will issue an order to redirect rent. This means that the tenant or tenants will be ordered to pay their rent payments directly to branch. Once enough money is collected, the branch hires a contractor to do the repairs and pays the contractor from the rent money collected. If the branch has to do this, the landlord is charged an administration fee as well as the cost of repairs.

If a health inspector or other government official issues an order to repair and the landlord does not comply with that order, the order can be filed with RTB. The branch will then enforce the order.

Entering Units to Inspect or Repair

Tenants are entitled to written notice before anyone enters their units to inspect or do repairs.

The notice must be given to the tenant at least 24 hours, and no more than two weeks, before the time of entry.

Tenants are responsible for any damage they or their guests cause to a rental unit or residential complex. Tenants must repair the damage in a "good and workmanlike manner" or pay the landlord for the cost of the repair. If there is damage, tenants should immediately inform the landlord and discuss what needs be done. Landlords can tell tenants to repair the damage and have the tenants pay for it themselves. Landlords can have the damage repaired and bill tenants for reasonable repair costs. If tenants don't repair the damage or pay for the repairs, landlords can give them notice to move.

Handling disputes over repairs

Tenants should never hold back rent payments to try to force landlords to do repairs. Tenants who do not pay their rent can be given notice to move. If landlords do not do necessary repairs, tenants can contact the Residential Tenancies Branch (RTB) for advice.

Tenants who contact RTB must fill out a Tenant's Request for Repairs form. The form is available at any branch office or it can be downloaded from the branch website at www.manitoba.ca/rtb.



Emergency Repairs

- a pipe has broken and water is leaking
- the heating system is not working and it's cold outside
- sewage is backing up into the premises
- a problem with electrical wiring that could cause a shock or fire
- the refrigerator supplied by the landlord is not working

Non-Emergency Repairs

- an interior door doesn't close properly
- a stove element is burnt out
- a tap is dripping
- an upper window has a cracked pane

While these are not emergencies, the landlord should be notified (during office hours) as soon as possible.

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.

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.

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Return Undeliverable Canadian Addresses to
Residential Tenancies Branch
c/o Unit 7 - 1715 St. James Street
Winnipeg, MB R3H 1H3