



Giving Notice: Landlord's Own Use, Demolition, Renovation or Change of Use

A landlord may give a tenant written notice to end a tenancy (to move out) if the landlord is going to:

- move into the unit (this includes: the owner, his/her spouse, their adult children, the owner's parents, or the spouse's parents)
- demolish (tear down) the property within six months of the notice
- renovate (improve) the unit or the complex and the tenant needs to move out for the work to be done (ex: if the landlord is changing the flooring, plumbing fixtures, cupboards, counters etc.)
- convert (change) it to use for something other than a residential rental property (ex: retail space), within six months of the notice

The length of notice a landlord must give is based on the vacancy rate (number of units available for rent) in the area. The fall issue of the *Rental Market Report* – published by Canada Mortgage and Housing Corporation each October – shows the vacancy rate. The most up-to-date vacancy rate is always posted on the Residential Tenancies Branch (RTB) website.

If the vacancy rate is:

- less than 2.0 per cent, a landlord must give the tenant five months' notice to move
- between 2.0 and 2.9 per cent, the landlord must give four months' notice
- at 3.0 per cent or more, the landlord must give three months' notice

If it's a fixed-term tenancy (ex: a one-year lease), the notice must be given three to five months before the lease ends, depending on the current vacancy rate. For example, if the vacancy rate is 1.8 per cent and the tenant's lease ends on June 30, the landlord would need to give five months' notice on or before January 31.

If tenants have children who go to a school near the rental unit, they can stay in the rental unit until the school year is over. For example, if vacancy rate is 1.8 per cent and the lease ends on April 30, the landlord would give the tenant notice to end the tenancy by November 30. The tenant would not have to leave until June 30.

The right of first refusal belongs to any tenants who get a notice of termination (to move out) because of renovations. This means that when landlords end tenancy agreements because they plan to renovate a unit, the tenants have the right to rent the unit after the work is done. Before moving out, the tenants must tell the landlords, in writing, that they want to have the right to move back into the unit. If the renovations allow the landlord to increase the rent, the tenant can rent the apartment, but must pay the new rent.

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If landlords are giving notice to move for any of these reasons, they must pay the tenants' reasonable moving costs up to \$500.

IMPORTANT: All Notices of Termination must be in writing, on Residential Tenancies Branch forms. These forms are available in the offices or on the website at www.manitoba.ca/rtb (in fill and print format).

For more information:

This fact sheet is only a brief explanation. For more information about a notice to end a tenancy, contact the Residential Tenancies Branch or go to www.manitoba.ca/rtb.

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1700 – 155 Carlton Street
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This information is available in multiple formats upon request.

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