

# Checklist: If you get an eviction notice for landlord's use

Answer the questions on this checklist to see if you have a way to fight the eviction notice.

If a question does not apply to you, or you don't know the answer, leave it blank.

## When you get the *Notice to End your Tenancy*

- | Yes                      | No                       | <b>Form N12</b>  |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Is the notice on the Landlord and Tenant Board's N12 form? |
| <input type="checkbox"/> | <input type="checkbox"/> | Is the notice signed?                                      |
| <input type="checkbox"/> | <input type="checkbox"/> | Is the address of your unit accurate and complete?         |
- 
- | Yes                      | No                       | <b>Termination date</b>   |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | Does the notice give the date on which the landlord wants you to move out (termination date)?   |
| <input type="checkbox"/> | <input type="checkbox"/> | Is the termination date at least <b>60 days</b> after the date you got the notice?  |
| <input type="checkbox"/> | <input type="checkbox"/> | If you have a monthly tenancy, is the termination date the last day of a rental period? (For example, if you rent from the 15th of each month, the last day of a rental period would be the 14th of a month.) |
| <input type="checkbox"/> | <input type="checkbox"/> | If you have a fixed term tenancy (for example, a one-year lease), is the termination date the last day of the term?   |
- 
- | Yes                      | No                       | <b>Person moving in</b>  |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Does the notice say who will be moving in?   |
| <input type="checkbox"/> | <input type="checkbox"/> | Does it seem likely that the person really plans to move in?   |
| <input type="checkbox"/> | <input type="checkbox"/> | Is the rental unit completely or partly owned by an individual (not a corporation, partnership, or trust)? |
| <input type="checkbox"/> | <input type="checkbox"/> | Is the landlord an individual?   |

Yes      No

Is the person who wants to move in any of the following?

- your landlord, or their spouse, parents, or children
- the spouse's parents or children
- a caregiver for any of the above

### **When you get your landlord's *Application to End a Tenancy and Evict a Tenant (Form L2)***

Yes      No

Was the application filed with the Board no later than **30 days** after the termination date on the N12 notice?

Has the landlord filed a sworn statement of the person who plans to move in?

Does the statement say the person plans to live there full-time?

Does the statement say the person plans to live there for at least one year?

Has your landlord filled in the section saying if they have given a N12 or N13 notice in the last 2 years?

### **As of the hearing date**

Yes      No

Does it seem likely that the person really plans to move in?

Has the landlord either:

- paid you one month's rent **no later than the termination date** on the notice, or
- offered you another unit that is acceptable to you?

If you answered **No** to any of the questions on this list, you might have a way to fight the eviction notice. Make sure you raise it at any hearing or mediation meeting.

This is not a complete list of every reason you could use to fight the eviction notice.

**It is best if you can get legal help before a hearing or mediation.**



CLEO's Steps to Justice website has step-by-step information about common legal problems.

Visit [www.stepstojustice.ca/housing/eviction](http://www.stepstojustice.ca/housing/eviction).