

Checklist: If you get an eviction notice for purchaser'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 | Form N12 |
|--------------------------|--------------------------|---|
| <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 | Termination date |
| <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 60 days 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 | Person moving in |
| <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 person who wants to move in any of the following? <ul style="list-style-type: none">• the purchaser, or their spouse, parents, or children• the spouse's parents or children• a caregiver for any of the above |

Yes No
 Does the person plan to live there full-time?

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?

 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?

 Is there an agreement of purchase and sale that was signed **before** the landlord gave you the N12?

 Is the agreement binding? (all remaining conditions have been "waived")

 Has the landlord done either of the following?

- 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.