

THE EVICTION PROCESS

Under the Residential Tenancies Act, 2006

01 Notice of Termination

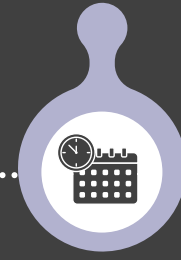
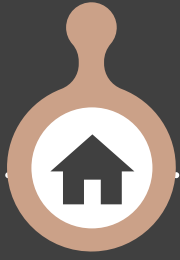
02 Landlord Files Application

03 Landlord and Tenant Board (LTB) Hearing

04 Eviction Order Issued

05 Enforcement

06 After Sheriff's Eviction



01

Notice of Termination

- The Notice of Termination (*NOT*) must be in the form approved by the LTB.
- The notice period depends on the type of notice and reason for eviction [refer to WRCLS tip sheets on the different types of *N* forms].
- The notice must be "properly served" to you as the tenant.
- The *NOT* will indicate a Termination Date (*TD*), but you are not obligated to move out on this date.
- If you disagree with the reasons for the eviction and intend to dispute the grounds for termination, you can stay in the unit and wait for the Board to hold the hearing.

02

Landlord Files Application

- Except for N4 Notices (Notice to End your Tenancy Early for Non-payment of Rent), all eviction applications must be filed no later than 30 days after the *TD*.
- Once the application is filed, the board sends a Notice of Hearing (*NOH*) and additional instructions to all parties (i.e. disclosure requirements, where to get legal help, etc.)

03

LTB Hearing

- There will be an opportunity for the parties to explain their view of the issues, present evidence, or request specific remedies from the Board.
- Mediation may be available on the day of the hearing.

04

Eviction Order Issued

- If an eviction order is issued, it will indicate the date the tenancy is terminated and when the landlord is authorized to enforce the eviction order.
- It is important that you make prompt moving arrangements because you may receive a removal notice from the Sheriff at any time. A normal order usually allowing the landlord to have the sheriff enforce the order 11 days after the date of the order.

05

Enforcement

- Enforcement is done through the Sheriff's Office - sometimes with Police assistance.
- The Sheriff's Office will send a removal or enforcement notice to the rental unit, addressed to you, the tenant, with the date and time that the locks will be changed. The landlord cannot change the locks. Only the Sheriff can change the locks.

06

After the Sheriff's Eviction

- You will have 72 hours to retrieve your belongings left in the unit. You are responsible for contacting your former landlord and making proper arrangements.
- Your landlord must make the property available for you to retrieve your belongings between 8am-8pm during the 72 hour period.

Get **free** legal advice regarding the Eviction Process and how to enforce your rights by contacting:



450 Frederick St. #101, Kitchener ON N2H 2P5

Phone: 519-743-0254 or Online Contact Form found at: www.wrcls.ca

