

## Instructions for Notices to Vacate

*The Residential Tenancies Act, 2006*

1. Complete this Form and make sufficient copies to give to the tenant(s) and the ORT.
2. Serve the tenant, which means get a copy to the tenant by either:
  - a. Handing it directly to the tenant (personal service)
  - OR -
  - b. Tape one copy to the front door of the rental unit, and deliver the second copy either by postal mail or electronically\*.

Tenants must get **two calendar months' notice to vacate**. Notices to vacate are effective on the day before the rent is due. If the rent is due on the first of each month, a notice to vacate will be effective on the last day of a month, and must be given two months before the effective date. For example, a notice to vacate for May 31 must be delivered to the tenant on or before March 31 of that year.

Personal service is always better, as the person who delivered the notice knows and can say that the tenant got the notice. Notices served by posting on the door and either mailing or electronically delivering are effective when the tenant actually gets the notice. Mail is deemed to be delivered three business days after it is mailed, and electronic service is deemed to be delivered on the following business day. The document must be posted on the door on or before the date that the copy is mailed or sent electronically.

You may apply to the ORT for a possession order at any time after serving a Notice to Vacate. If the tenant doesn't dispute the reason for eviction within 15 days, the tenant is deemed to have accepted the notice to vacate and must move out. After the 15 days has expired, you may apply for a possession order based on an undisputed notice to vacate.

If the tenant disputes the notice to vacate, the tenant must complete the dispute notice at the bottom of the form and return it to you within 15 days. If the tenant does so, and you wish to proceed with eviction, you must apply to the ORT for a possession order and establish the validity of the reason for the notice to vacate at a hearing.

With your application ([Form 9](#) and a \$50 fee), provide:

1. A copy of the Notice to Vacate to show exactly what was given to the tenant; and
2. A Certificate of Service, signed by the person who served the tenant, and completed to say how the tenant was served with the Notice to Vacate.

The ORT will schedule a hearing and provide you with a notice of hearing showing the time and place of the hearing. Write the same reasons for eviction on the hearing notice. Deliver a completed copy of the hearing notice to the tenant to let them know what you want, and when and where they should appear for the hearing. Serve the notice of hearing in the same manner as described above for the notice to vacate.

If the tenant does not move out as required, only court officials can actually put the tenant out. You need an order for possession that court officials will enforce.

\* **"electronically"** means:

- the document is substantially in the same form as the required document;
- it is accessible by the other party; and
- it can be saved for future reference.

So, for example, a document sent in a common format such as ".pdf", ".doc.", or ".rtf" that can be readily opened, read and saved and conveys the same information as the required document may be delivered by mail. Electronic transmission by fax will also suffice. Electronically transmitted documents are deemed to be received on the next business day after the document is sent.



# Notice to Vacate for Specified Uses

The Residential Tenancies Act, 2006 [section 60(7)]

Form 8d

Office of Residential Tenancies

**Questions about your rights?** Contact the Office of Residential Tenancies at 1-888-215-2222 or [ORT@gov.sk.ca](mailto:ORT@gov.sk.ca) or visit [Saskatchewan.ca/ort](http://Saskatchewan.ca/ort)

To (Tenants)

of (rental address) , Saskatchewan.

This is two months' notice to terminate your tenancy of the above property as of

the  day of

OR the last day of the second period of your tenancy after delivery of this notice, whichever is later. You must vacate on or before that time.

**The reason for giving this notice is as follows:** the landlord has all the necessary permits and approvals required by law, and intends in good faith, to: (check one)

- demolish the rental unit;
- renovate or repair the rental unit in a manner that requires the rental unit to be vacant;
- convert the residential property to condominiums pursuant to *The Condominium Property Act, 1993*;
- convert the residential property into a continuing housing co-operative as defined in *The Co-operatives Act, 1996*;
- convert the rental unit for use by a caretaker, manager or superintendent of the residential property;
- convert the rental unit to a non-residential use.

Dated at  in the Province of Saskatchewan, this  day of

Name of Landlord/Agent - (Please Print)

Signature of Landlord and/or Agent

Mailing address - please print

**Notice to Tenant:** If you dispute this eviction, you must sign the dispute notice below and return it to the landlord within 15 days of receiving it. If you do not dispute the notice within 15 days, you will be deemed to have accepted that the tenancy ends, and you must vacate by that date.

**Tenant Rights:** Pursuant to s. 61 of the RTA, after receiving this Notice to Vacate, you may end the tenancy earlier by giving 10 days notice and by paying the portion of rent due, if any, to that date. Pursuant to s. 62 of the RTA, you may be entitled to compensation from the landlord if the landlord does not, within a reasonable time, use the property for the purpose given for eviction.

## DISPUTE NOTICE TO LANDLORD'S CLAIM TO END TENANCY

I/We,

tenant(s) of the landlord,  hereby dispute the termination notice served on us by the landlord.

If the landlord wishes to proceed with eviction, the landlord must apply to the Office of Residential Tenancies for a hearing and prove the grounds for eviction. You will be notified of the hearing.

Date \_\_\_\_\_

\_\_\_\_\_  
Tenant's Signature