

Notice of Rent Increase

Form N1

Instructions

Use this form if you are increasing the tenant's rent. Do not use this form if the rental unit is partially exempt from the *Tenant Protection Act*, or the rental unit is in a care home.

A Notice of Rent Increase must be properly filled out and given before the rent can be increased. These instructions will help you complete the form. It is your responsibility to make sure that the Notice of Rent Increase complies with the requirements of the *Tenant Protection Act*.

You can obtain this form at the Ontario Rental Housing Tribunal office in your area or from the Tribunal's website at www.orht.gov.on.ca.

About this notice...

You must give the tenant notice of any rent increase at least 90 days before the date of the increase. There are many ways you can give this notice to the tenant. For example, you can:

- hand it directly to the tenant or to an adult in the rental unit,
- leave it in the tenant's mailbox or where mail is ordinarily delivered,
- place it under the door of the rental unit or through a mail slot in the door,
- send it by fax to a fax machine where the tenant carries on business or to a fax machine in their residence,
- send it by courier to the tenant (if you courier it, you must allow one business day for delivery),
- send it by mail (if you mail it, you must allow five calendar days for delivery).

You cannot give the tenant this notice by posting it on the door of the tenant's rental unit.

You can increase the rent if at least 12 months have passed since the date of the last rent increase or since the date the tenant moved into the rental unit. If the previous tenant assigned the rental unit to the current tenant within the 12 months before the increase date, you can increase the rent if at least 12 months have passed since the previous tenant's last increase.

When to use Other Forms...

Most landlords must use this form (**Form N1**) when increasing the rent. However, there are **three exceptions**:

- If the rental unit is exempt from certain sections of the *Tenant Protection Act*, use **Form N2**.

- If the rental unit is in a care home, use **Form N3** (Notice to Increase the Rent and/or Charges for Care Services and Meals).
- You do not have to give the tenant this notice if you and the tenant have signed an Agreement to Increase the Rent Above the Guideline (**Form N10**).

How to complete the form...

To: Fill in the tenant's name and complete address, including the unit number. If there is more than one tenant living in the rental unit, fill in the names of all of the tenants.

From: Fill in the landlord's name and address. If there is more than one landlord, fill in the names of all the landlords.

Address of Rental Unit: Fill in the address and unit number of the rental unit covered by this notice.

Your New Rent: Fill in the date the rent will increase and the total amount, in dollars and cents, that you will charge the tenant on that date. The new rent is the total of the rent for the rental unit and all charges the tenant pays to you separately.

Write in whether the new rent will be charged each month or week. If you charge rent by some other period (for example, quarterly), write in the period that the rent covers.

Explanation of the Rent Increases: On the form, fill in the amount of the rent increase to the current rent in dollars and cents. Write in whether the new rent will be charged each month or week. If you charge rent by some other period (for example, quarterly), write in the period that the rent covers. Write in the percentage by which the new rent will increase.

Each year the Ministry of Municipal Affairs and Housing sets a "guideline" for rent increases. If you don't know what the rent control guideline is, call the Ontario Rental Housing Tribunal.

On the form, indicate whether the rent increase is less than or equal to the rent control guideline or whether it is more than the rent control guideline.

If you are increasing the rent by more than the guideline, check **box 1, 2 or 3** to show why. You cannot increase the rent by more than the guideline unless it is for one of these three reasons.

1. Check **box 1** on the form if the rent increase is more than the guideline but has been approved by an order under the *Tenant Protection Act*.
2. Check **box 2** on the form if the rent increase is more than the rent control guideline and you have applied to have the rent increase approved by an order under the *Tenant Protection Act*.

If the rent increase needs approval by an order under the *Tenant Protection Act*, before the order is issued, the tenant may choose to pay:

- the increased rent set out in this notice,
or
 - the current rent plus the guideline increase (or the maximum rent if it is greater and they were the tenant on June 16, 1998).
3. Check **box 3** on the form if the rent increase is more than the guideline, but the new rent is not more than the “maximum rent”.

The maximum rent for the rental unit is the most a landlord could have charged under the *Rent Control Act* as of June 16, 1998.

- The maximum rent remains the same and is not increased by the rent control guideline.
- You can only increase the rent to the maximum if the tenant who currently lives in the rental unit is the tenant who lived in the rental unit on June 16, 1998 or was assigned the rental unit from that tenant.

If you are not sure what the maximum rent for the rental unit is, you can call the Ontario Rental Housing Tribunal office for assistance.

**Examples of
Rent Increase
Calculation:**

Example 1 - Increasing the rent by the rent control guideline:

Andrew McCabe is the landlord. He wants to raise the rent on September 1, 2000 by the rent control guideline. The current rent is \$500.00. For 2000, the rent control guideline is 2.6%.

Here is how Mr. McCabe would calculate the rent increase:

$$\frac{\$500.00 \times 2.6}{100} = \$13.00$$

\$500.00 + \$13.00 = \$513.00. The new rent is \$513.00

Example 2 - Increasing the rent to the maximum rent:

George Lee is the landlord. He has been renting the rental unit to Sarah McRae since May 1, 1994. On June 16, 1998, George was charging Sarah \$700.00 per month. However, on that day the maximum rent under the *Rent Control Act, 1992* was \$800. If George gives proper notice, he can increase Sarah's rent to \$800.

Example 3 - Increasing the rent by the amount proposed in an application to increase the rent above the guideline:

Cheryl Brown, the landlord, has made an application to increase the rent above the guideline. The current rent for Bill Smythe is \$400.00. The rent increase proposed in Cheryl's application for Bill's rental unit is the rent control guideline plus 3.5%. Cheryl intends to increase Bill's rent on November 1, 2000. The rent control guideline for 2000 is 2.6%. Here is how Cheryl would calculate the rent increase:

$$2.6\% + 3.5\% = 6.1\%$$

$$\frac{\$400.00 \times 6.1}{100} = \$24.40$$

\$400.00 + \$24.40 = \$424.40. The new rent is \$424.40.

Signature: If you are the landlord, check the box marked “landlord” and sign your name. Print your name above your signature. Include your telephone number and the date you are signing this notice. If you are an officer signing for a corporation, also print your title.

If you are the landlord’s agent, check the box marked “agent”, sign your name and include the date you are signing this notice. In the space marked “Agent Information”, fill in your name, company name, mailing address, telephone number, and fax number, if you have one.

If you need more information...

If you need more information or have any questions, call the Ontario Rental Housing Tribunal at 416-645-8080 or toll-free at 1-888-332-3234. You can also check the status of your application by visiting the Tribunal’s website at www.orht.gov.on.ca.

**Notice of Rent Increase
Form N1**

Read the instructions carefully before completing this form.

To: (Tenant's name and address)	From: (Landlord's name and address)
Address of the Rental Unit:	

Your New Rent

On _____, your rent will increase to \$ _____
(day/month/year)

per _____
(month, week, etc.)

This rent includes the basic rent for your rental unit, plus any amount you pay separately to your landlord for services.

Explanation of the Rent Increase

This is a rent increase of: \$ _____ per _____ or _____ %
(month, week, etc.)

Shade one of the following:

This rent increase is less than or equal to the rent control guideline and does not need approval by an order under the *Tenant Protection Act*.

OR

This rent increase is more than the rent control guideline, but:

1. The rent increase has been approved by an order under the *Tenant Protection Act*.
2. The rent increase must be approved by an order under the *Tenant Protection Act*. I have applied to the Tribunal for a Rent Increase Above the Guideline.
3. The new rent is less than or equal to the maximum rent. This rent increase does not need approval by an order under the *Tenant Protection Act*.

Maximum rent only applies if the tenant who currently lives in the rental unit is the tenant who lived in the rental unit on June 16, 1998 or was assigned the rental unit from that tenant.

Important Information About the Law

1. The landlord must give the tenant this notice at least 90 days before the date of the rent increase. A landlord may increase the rent if at least 12 months have passed since the last rent increase or since a new tenant moved into the rental unit. No Notice of Rent Increase is required where the landlord and tenant have signed an Agreement to Increase the Rent Above the Guideline (Form N10).
2. A tenant does not have to sign a new lease when a fixed term tenancy ends. If the tenant decides not to sign a new lease, the tenant does not have to move, but the tenancy becomes "month-to-month".

If a tenant plans to move, the tenant must notify the landlord on Form N9 (Tenant's Notice to Terminate the Tenancy) at least 60 days before the lease expires if the tenant has a fixed term of tenancy or 60 days before the end of a monthly or yearly rental period. The tenant must notify the landlord on Form N9 at least 28 days before the end of a weekly rental period.

3. If the rent increase needs approval by an order under the *Tenant Protection Act*, the tenant is not required to pay more than the guideline increase until the order is issued. If the tenant only pays the guideline increase, the tenant may owe the landlord once the order is issued.
4. If you have any questions about the law related to rent increases and how it applies to this notice, you may contact the Ontario Rental Housing Tribunal at **416-645-8080** or toll-free at **1-888-332-3234**. Or, you may visit the Tribunal's web site at **www.orht.gov.on.ca** for further information.

Signature

Landlord Agent

Name of Person Signing	Title
Signature	Phone Number
	Date

Agent Information

Name		Company Name	
Mailing Address		Phone Number	
City	Province	Postal Code	Fax Number