

Instructions to Landlord - Serving a Notice to Vacate for Rent or Utility Arrears

(See Page 2 for Form 7)

Serving a Notice to Vacate for Rent or Utility Arrears

1. Complete **Form 7 - IMMEDIATE NOTICE TO VACATE AND NOTICE OF ARREARS** and keep a copy.
2. Serve the tenant(s), which means get a copy (include rent ledger if based on rent arrears, or utility bills if based on utility arrears) to the tenant(s) by either:
 - a. Handing it directly to the tenant(s) (personal service) - **OR** -
 - b. Both taping a copy to the front door of the rental property and mailing a copy to the tenant(s) through the post office (you cannot just put it in their mailbox) - **OR** -
 - c. Both taping a copy to the front door of the rental unit and sending a true copy of the document electronically (email, text message, social media, and fax).

Personal service is always better, as the person who delivered the notice directly knows and can say that the tenant(s) got the notice. If the tenant(s) does/do not actually get the copy by posting and mailing or by electronic delivery, the immediate notice may not be effective.

If the tenant(s) does/do not move out as required, only court officials can actually put the tenant(s) out. You need an Order for Possession that court officials will enforce.

The Office of Residential Tenancies may grant an Order for Possession. Use Form 9a to apply.

With your application (Form 9a) provide:

1. A copy of the **Form 7, Form 7a** (if based on utility arrears), to show exactly what was given to the tenant(s),
2. A **Certificate of Service**, signed by the person who served the tenant(s) and completed to say how the tenant(s) was/were served with the Form 7, Form 7a (if based on utility arrears), and
3. A copy of your rent ledger (required to prove rent arrears) and a copy of the signed lease agreement (if applicable)
4. All evidence supporting your claim for non payment of rent or utility arrears. Photographic evidence must be numbered with a detailed explanation underneath each image and submitted on one document (PDF or Word).

The Office will schedule a hearing and provide you with a Notice of Hearing to complete and serve on the tenant(s) to let them know what you want and when and where they should appear for the hearing.

With the hearing notice, give the tenant(s) a copy of your rent ledger showing when payments were made and the amount of rent in arrears.

If you are evicting a tenant for utility arrears the Form 7a **MUST** be served 15 days before serving the Form 7.

Immediate Notice to Vacate and Notice of Arrears

Form 7
Office of Residential Tenancies

(The Residential Tenancies Act, 2006, Sections 57 & 70)

Questions about your rights? Contact the Office of Residential Tenancies at 1-888-215-2222
or ORT@gov.sk.ca or visit Saskatchewan.ca/ort

To tenant(s):

All legal occupants.

I hereby give you notice to immediately deliver up possession of the premises described as:

Address _____ City _____ Province _____ Postal Code _____
Saskatchewan

Notice to Vacate for Rent Arrears Check if applicable

The rent is payable on the _____ day of each and every month.

The amount of rent payable under the agreement is (per month) \$ _____ .

The amount of rent over 15 days in arrears at the date of sending this notice is the sum of \$ _____ .

Notice to Vacate for Utility Arrears Check if applicable

'Notice of Utility Arrears' (Form 7a) MUST have been served on you more than 15 days ago (before this form) and some or all of the utility arrears remain unpaid.

As of the date of this Notice to Vacate, the amount of rent and/or utility arrears owed is the sum of \$ _____ .

Details: (list month(s) for which rent or utilities is/are over 15 days in arrears)

Dated at (city/town) _____ in the Province of Saskatchewan, this (date)

Landlord and/or Agent Signature

Full Legal Name of Landlord - must be a person or corporation

Mailing Address (please print) _____ **City** _____ **Province** _____ **Postal Code** _____

PLEASE NOTE

All non-resident landlords are required to appoint a Saskatchewan resident as a power of attorney with the Office of Residential Tenancies. Non-resident landlords must complete and submit the Form 1a with their application for possession.

Tenants may be liable to pay rent arrears and rent loss to the landlord if they have breached the tenancy agreement.