

Instructions to Landlord - Serving Notices to Vacate (Form 8, 8a, 8c & 8e)

The Residential Tenancies Act, 2006

Tenants must get **one 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 one calendar month before the effective date. For example, a notice to vacate for April 30th must be delivered to the tenant on or before March 31st of that year.

1. Complete this Form and make sufficient copies to give to the tenant(s) and the ORT.
2. Serve the tenant(s), which means get a copy to the tenant(s) by either:
 - a. Handing a copy to each legal occupant (personal service) - two tenants would mean handing a copy to each tenant,
- OR -
 - b. Both taping a copy to the front door of the rental unit, AND mailing a copy to the tenant(s) through the postal delivery service
- 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, and social media).

Personal service is always better, as the person who delivered the notice knows and can say that the tenant(s) got the notice. Notices served by posting on the door and either mailing or electronically delivering are effective when the tenant(s) actually get(s) 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.

If the tenant(s) dispute(s) the notice to vacate, the tenant(s) must complete the dispute notice at the bottom of the form and return it to you within 15 days. If the tenant(s) does/do 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.

You may apply to the ORT for a possession order at any time after serving a Notice to Vacate. If the tenant(s) does/do not dispute the reason for eviction within 15 days, the tenant(s) is/are 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.

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

1. A completed copy of the Notice to Vacate to show exactly what was given to the tenant(s); and
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 Notice to Vacate, and
3. Evidence supporting your claim. Photographic evidence must be numbered with a detailed explanation underneath each image and submitted on one document (PDF or Word).

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 and all evidence to the tenant(s) 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.

Notice to Vacate - One Calendar Month

The Residential Tenancies Act, 2006 [section 58]

Form 8

Office of Residential Tenancies

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 tenants (legal occupants)

of (rental address)

, Saskatchewan.

This is one month's notice to terminate your tenancy of the above property as of
(Month) (Year)

the day of

OR the last day of the next month 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:

This notice is also to advise that you may be held responsible for any and all rent loss suffered as a result of your breach of the tenancy agreement.
(City/Town) (Month) (Year)

Dated at in the Province of Saskatchewan, this day of

Landlord and/or Agent Signature

Name of Landlord/Agent - (Please Print)

Mailing Address of Landlord/Agent - 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.

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 by the landlord.

Date

Tenant's Signature