



Residential Tenancies Program

Policy and Procedure Guide

Policy Number: 13-001
Subject: Rental Increase
Chapter: Rental Increases and Rebates

Legislation	s. 16, S. 34
Definitions	Rental Increase: An increase in the amount of rent payable.
Purpose	The purpose of this section is to provide a guideline for landlords and tenants regarding rental increases.
Policy	<p>A landlord shall not increase rent:</p> <ul style="list-style-type: none">• during fixed term agreement;• more than once in a 12 month period;• during the first 12 months of a rental agreement, where residential premises are rented from week to week, month to month, or, where a fixed term agreement expires and the tenancy continues week to week or month to month (<i>Section 16</i>). <p>A landlord and tenant may mutually agree to enter into a fixed term agreement which may include a higher rental rate. Further, they may agree in writing upon an increase without notice, where the increase is for a service or accommodation that was not previously provided under the rental agreement. (<i>Section 16(7)</i>)</p> <p>Where a landlord and tenant discontinues a rental agreement and enters into a new agreement for the same rental unit with the same tenant(s), this tenancy is considered a continuous tenancy and will be treated as such. Where a tenancy is determined to be continuous, the calculation of the initial 12 month period will be the beginning of the initial rental agreement.</p> <p><u>Rental Discounts/Promotional Rents:</u></p> <p>The use of rental discounts and promotional rents are contrary to the legislation (<i>Section 16</i>) as section 16(1) clearly eliminates the use of any other declaration or waiver designed to circumvent this section.</p> <p>Where a promotional rent has been enacted by a landlord, any change of rent rate within the first 12 months of a rental agreement or more than once in a 12 month period beyond the first 12 months would be considered to be a rental increase.</p>



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	<p>A landlord who wishes to increase rent must give written notice to the tenant to be effective on the first day of a rental period and the notice shall be given:</p> <ul style="list-style-type: none">• not less than 8 weeks before the effective date on a weekly rental agreement; and• not less than 6 months before the effective date on a monthly or fixed term rental agreement. (Section 16(3)). <p>The notice shall be in the form prescribed by the Minister, signed by the landlord, contain the name and address of the recipient, identify the rental premises, state the section of the Act the notice is given under, and state the effective date and amount of increase and state the rent payable when the increase becomes effective. (Section 16 & 34).</p> <p>When a service is discontinued (ie. Washer and dryer no longer provided), or where an accommodation becomes unavailable (ie. Use of garage is no longer provided), the value of the service or accommodation may be considered a rental increase. (Section 16(5))</p> <p>The Residential Tenancies Section may determine a value where a service or accommodation is discontinued. (Section 16(6))</p>
Procedure Overview	<p>A landlord serves written notice to the tenant of the rental increase to be effective on the first day of a rental period;</p> <ul style="list-style-type: none">• not less than 8 weeks before the effective date on a weekly rental agreement; and• not less than 6 months before the effective date on a monthly rental agreement. <p>The landlord signs the notice, identifies the rental premises, adds the name and address of the recipient, states the effective date of the increase, the amount of increase, the rent payable when the increase becomes effective, and states the section of the <i>Act</i> the notice is given under.</p>
Forms & Form Letters	
X-Reference	Service of Notice - see section 5-2 of this manual
Policy Developed	September, 2000



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Other Resources	N/A