



## Residential Tenancies Program

### Policy and Procedure Guide

**Policy Number:** 02-005

**Subject:** Reasonable Rules

**Chapter:** Rental Agreement

<b>Legislation</b>	s. 20(1), 20(2), 20(3), 20(4)
<b>Definitions</b>	<p><b>Material Term or Condition:</b> includes an object, activity, work, project or thing identified as part of the rental agreement.</p> <p><b>Service Animal:</b> means an animal trained to provide assistance to a person with a disability and having the qualifications prescribed by regulations under the Service Animal Act and used by a person with a disability.</p> <p><b>Insurance:</b> financial protection for an individual or property, in case they are found responsible for, or incur, damage or personal injury.</p>
<b>Purpose</b>	The purpose of this policy is to provide information to landlords , tenants and RT staff about common terms and conditions contained in rental agreements that have been found to be reasonable.
<b>Policy</b>	<p>Terms and conditions of the rental agreement are required to be in writing. The landlord has a responsibility to provide a copy of the rental agreement to the tenant.</p> <p><b>No Pets:</b> It is generally not unreasonable for a landlord to prohibit pets or set limitations on the type of pets permitted in a rental agreement.</p> <p><b>Service Animal:</b> Because service animals are trained to assist persons with disabilities and discrimination against persons with disabilities is prohibited under the Human Rights Act, a “no pet” provision in a rental agreement may be considered discriminatory. A tenant is responsible for notifying the landlord of the discriminatory impact of the condition in the rental agreement and request an accommodation. If a landlord received notice that a policy or practice discriminates against one of its tenants, the landlord has a duty to accommodate the tenant unless doing so would cause undue hardship on the landlord. More information on this subject is available from the Human Rights Commission’s Guide on Rental Housing.</p> <p><b>Barbeques:</b> It is generally not unreasonable for a landlord to prohibit or limit the use of barbeques if it would contravene municipal or provincial laws or pose a safety hazard. Municipal and provincial</p>



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	<p>laws should always be consulted before using a barbecue when living in a rental unit.</p> <p><b>Christmas Trees:</b> It is generally not unreasonable for a landlord to prohibit the use of real Christmas trees in a residential complex, if it would contravene municipal or provincial laws, or pose a safety hazard. Municipal and provincial laws should always be consulted before using real Christmas trees.</p> <p><b>Yard/ Garage Sales:</b> It is generally not unreasonable for a landlord to prohibit yard or garage sales within a multi-unit premises, particular if all tenants have use of the common areas. A landlord may refuse to allow a tenant to have a yard sale because of the potential damage or interference with peaceful enjoyment. It is recommended that the tenant obtain the landlord's permission before having a yard or garage sale.</p> <p><b>Insurance:</b> It is generally not unreasonable for a landlord to require a tenant hold insurance for the tenant's personal property. It is the responsibility of the landlord to carry insurance of the rental unit and the landlord's property.</p>
<b>Procedure Overview</b>	<p>Landlords and tenants should always consult Municipal and Provincial laws regarding the use of barbeques and real Christmas trees.</p> <p>Landlords and tenants should be encouraged to resolve conflict using reasonable rules.</p> <p>If a violation of the rental agreement (material breach) has been committed, the landlord or the tenant may give the other party a written notice of the violation and identify a reasonable time for the other party to rectify the situation. If the other party does not remedy the breach within a reasonable period of time, may give a notice to terminate the tenancy under section 20(3) of the Act.</p>
<b>Forms &amp; Form Letters</b>	N/A
<b>X-Reference</b>	N/A
<b>Policy Developed</b>	September, 2000
<b>Last</b>	January, 2002



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<b>Revision</b>	August, 2021
<b>Other Resources</b>	Human Rights Act Human Rights Commission – Guide on Rental Housing