



Residential Tenancies Program

Policy and Procedure Guide

Policy Number: 02-008

Subject: Entering a Rental Agreement

Chapter: Rental Agreement

Legislation	s.3, s.8, 32, Rental Agreement Notice Regulations
Definitions	<p>Rental Agreement: means a written, oral or implied agreement, including a lease, between a landlord and a tenant in which the tenant is granted the right to use or occupy residential premises on the condition rent is paid by the tenant to the landlord.</p> <p>Rental period: the weekly or monthly interval for which rent is payable under a rental agreement.</p> <p>Implied rental agreement: even though a tenant and landlord didn't formally commit themselves to a rental agreement, in writing or orally, their actions toward each other indicates and understanding that a landlord and tenant relationship was formed. For example: a tenant paying the rent or security deposit and the landlord accepting it.</p> <p>Verbal rental agreement: a tenancy based on a verbal offer and acceptance to rent. The terms and conditions of this type of tenancy are not in writing. It is most commonly a month-to-month tenancy.</p> <p>Written rental agreement: a contract that is signed by both the tenant and the landlord. It identifies the landlord, tenant, rental premises, and states the terms and conditions of the tenancy. It must state the statutory conditions as per section 10 of the Act and may also state the landlord's reasonable "house" rules. It is important to note, however, that anything that contravenes the Act is not valid. A written rental agreement may run for a fixed-term, or on a periodic weekly or monthly basis.</p> <p>Written notice of a verbal or implied rental agreement: a written notification of the terms and conditions of a rental agreement entered into between a landlord and a tenant, provided by the landlord containing the requirements identified in s. 34 of the Residential Tenancies Act; the contents identified in the Rental Agreement Notice Regulations and served on the tenant by the landlord according to the requirements set out in s. 35 of the Residential Tenancies Act.</p>



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Purpose	<p>The purpose of this policy is to inform tenants and landlords that rental agreements can be written, oral or implied and that all rental agreement must be in writing. It also sets out the basic terms and conditions of a rental agreement.</p>
Policy	<p>The Act provides for only three possible rental agreements:</p> <ul style="list-style-type: none">• from week to week;• from month to month; or• for a fixed term of not less than 6 months and not more than 12 months. (Refer to legislation) <p>The type of rental agreement will determine what termination notice must be given prior to terminating the rental agreement. (Refer to legislation)</p> <p>A rental agreement may be written, verbal or implied. A written rental agreement must list the statutory conditions as set out in section 10 of the Act. (Refer to legislation). A verbal or implied (understanding of an) agreement, the landlord is required to provide the tenant with a written notification of the agreement containing the following information:</p> <ol style="list-style-type: none">1. the legal names of the landlord and the tenant;2. the landlord's telephone number, electronic address and civic address where documents may be received, delivered or served by the tenant;3. where the landlord has an agent or another person who is responsible for the residential premises, the name, telephone number, electronic address and civic address of the agent or other person where documents may be received, delivered or served by the tenant;4. where available, the tenant's telephone number and electronic address where documents may be received, delivered or served by the landlord;5. the civic address of the rental unit;6. the date on which the rental agreement was entered into;7. the statutory conditions in section 10;



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	<ol style="list-style-type: none">8. the date on which the tenancy starts;9. whether the rental agreement is from week to week, month to month or for a fixed term;10. where the rental agreement is for a fixed term, the termination date of the tenancy;11. the amount of rent payable for a specified period and the day within that specified period upon which rent is due;12. the amount of the security deposit paid and the date on which it was paid; and13. any other terms and conditions of the rental agreement. <p>When a landlord or tenant enters into a rental agreement it is recommended that rental premises condition reports be used. Rental premises condition reports are extremely useful to protect both the landlord and the tenant in a case where damage occurs or when repairs are requested.</p>
Procedure Overview	N/A
Forms & Form Letters	Residential Tenancies Standard Rental Agreement Rental Premises Condition Report
X-Reference	See Landlord request for repairs See Tenant request for repairs
Policy Developed	September, 2000
Policy Revised	January, 2002 August, 2021
Other Resources	