

# Landlord's Notice to Increase Rent

*Residential Tenancies Act 2018 – Section 16*

## Instructions

- This notice must be given to a tenant when the landlord wants to increase the rental rate.
- Under Section 16 of the Residential Tenancies Act, a landlord may not increase the rent:
  - more than once in a 12 month period where the residential premises is rented from week to week or month to month;
  - during the term of the rental agreement, where the residential premises is rented for a fixed term;
  - more than once in a 12 month period where a tenant continues to use or occupy the residential premises after a fixed term has expired;
  - during the 12 month period immediately following the commencement of the rental agreement
- Where a landlord increases the amount of rent payable by a tenant, the increase shall be effective on the first day of a rental period, and the landlord is required to give the tenant written notice of:
  - not less than 8 weeks before the effective date of the increase where the residential premises is rented from week to week; and
  - not less than 6 months before the effective date of the increase where the residential premises is rented from month to month or for a fixed term.
- Where a landlord discontinues a service, privilege, accommodation or benefit or a service, privilege, accommodation or benefit is unavailable for a period of time, and the discontinuance or unavailability results in a reduction of the tenant's use and enjoyment of the residential premises, the value of the discontinued service, privilege, accommodation or benefit is considered to be an increase in the amount of rent payable.

## Service Requirements (Section 35(2))

- The landlord's notice of rental increase may be delivered to the tenant by:
  - sending it electronically where: (i) it is provided in the same or substantially the same form as the written notice or document; (ii) the tenant has provided an electronic address to receive documents, and (iii) it is sent to that electronic address;
  - giving it personally to the tenant;
  - giving it to a person 16 years of age or older who apparently lives with the tenant;
  - posting it in a conspicuous place on the tenant's premises;
  - placing it in the tenant's mailbox or under a door in the tenant's premises;
  - sending it to the tenant by prepaid registered mail or prepaid express post or by courier at an address (i) provided by the tenant or (ii) where the tenant carries on business.
- Where the landlord's notice of rental increase is sent electronically as indicated above, it will be considered served on the day it is sent if it is sent before 4pm. If the notice is sent after 4pm, it will be considered to be served on the next day which is not a weekend or statutory holiday.
- Where the landlord's notice of rental increase is sent by registered mail or express post, it will be considered to be served on the 5<sup>th</sup> day after mailing.

### \*Disclaimer:

This form has been developed by the Residential Tenancies Office for use by landlords and tenants in Newfoundland and Labrador. It is intended to assist parties in understanding and fulfilling their rights and obligations under the Residential Tenancies Act, 2018. While every effort has been made to ensure the accuracy and relevance of the information contained herein, users are encouraged to consult the Residential Tenancies Act, 2018 and seek advice where necessary. The Residential Tenancies Office assumes no responsibility for any errors or omissions, or for any outcomes resulting from the use of this form.

# Landlord's Notice to Increase Rent

Residential Tenancies Act 2018 – Section 16

<b>Part 1 To: Tenant Information</b>		
Name Tenant #1	Name Tenant #2	
<b>Part 2 From: Landlord Information</b>		
Landlord Name		
<b>Part 3 Address of Residential Premises</b>		
Street Number and Name		Apartment Number
City or Town	Province NL	Postal Code
<b>Part 4 Increase Details</b>		
<p>I hereby give you notice that rent for the premises identified above will be increasing by:</p> <p>\$ _____ per _____ effective as of _____ (month day, year)</p> <p>Starting on this date, the rent will be: \$ _____ per _____</p>		
<b>Part 5 Landlord Signature</b>		
Landlord Signature	Date (month day, year)	