

10 Day Notice to End Tenancy for Unpaid Rent or Utilities

BECAUSE:

You have failed to pay rent
in the amount of \$ _____
that was due on _____
Day Month Year

You have failed to pay utilities
in the amount of \$ _____ following
written demand on _____
Day Month Year

Tenant: You may be EVICTED if you Do Not Respond to this Notice.
You have five (5) days to pay the rent or utilities to the landlord
or file an Application for Dispute Resolution with the Residential Tenancy Branch.

- This notice applies to a manufactured home site, *Manufactured Home Park Tenancy Act*, section 39
 This notice applies to a rental unit, *Residential Tenancy Act*, section 46

TO the TENANT(S) (full names are required)

If additional space is required to list all parties, use and attach "Schedule of Parties", form #RTB-26.

Last name	First and middle names
Last name	First and middle names

Tenant Address (address for service of documents or notices – where material will be given personally, left for, faxed, or mailed)

Unit/site #	Street # and street name	City	Province	Postal Code
Daytime phone number	Other phone number	Fax number for document service		

FROM the LANDLORD (full names are required)

If additional space is required to list all parties, use and attach "Schedule of Parties", form #RTB-26.

Last name or full legal business name	First and middle names			
Landlord Address (address for service of documents or notices – where material will be given personally, left for, faxed, or mailed)				
Unit/site #	Street # and street name	City	Province	Postal Code
Daytime phone number	Other phone number	Fax number for document service		

NOTICE: I am hereby giving you 10 days notice to move out of the rental unit or manufactured home site located at:

			BC	
Unit/site #	Street # and street name	City	Province	Postal Code
By:				(date when tenant must move out or vacate the site)
Day	Month	Year		

Noticed served: In person On the door By registered mail

Landlord's or Agent's signature _____
 Print name _____ Date _____

If within 5 days you do not pay the rent or utilities or make an application for dispute resolution, the landlord can apply for an order of possession through the direct request process.

The direct request process is completed without either party attending a hearing.

Instead:

- The landlord makes an application for an order of possession and submits:
 - ♦ A copy of the tenancy agreement
 - ♦ A copy of this notice
 - ♦ Proof that this notice was served
 - ♦ An application for Dispute Resolution.
- The landlord will receive a proceeding package which must be served on the tenant within three days.
- The landlord sends the proof of service of the package to the Residential Tenancy Branch.
- A Dispute Resolution Officer will review all documentation and will make a decision.
- The decision is final and binding on both parties.
- Fraud is the *only* reason that will be considered for a review of the decision.

The 10 Day Notice to End Tenancy for Unpaid Rent or Utilities Can be Served:

- Any day after the rent was due, for unpaid rent.
- 30 days after the tenant was given a written demand to pay the arrears, for unpaid utilities.

The Notice is Deemed Received by the Tenant:

- The day the landlord gives the notice to the tenant in person, or to an adult (19 years or older) who appears to live with the tenant, or
- Three (3) days after the landlord either; leaves the notice in the mailbox or in mail slot; posts it on the door or a noticeable place at the address where the tenant lives; or faxes it to a number provided by the tenant, or
- Five (5) days after the landlord sends the notice by registered mail to the address where the tenant lives.

Disputing the Notice:

- The tenant can make an application for dispute resolution within 5 (five) days of receiving the *10 day notice*.
- If the tenant disputes the notice a hearing will be held. Both parties will have an opportunity to participate.
- At the hearing, the landlord can ask for and receive an order of possession if the *10 day notice* is upheld by the dispute resolution officer.

Tenants may dispute the notice for specific reasons such as:

- They have proof the rent was paid.
- They have an order from a dispute resolution officer giving them permission to keep all or part of the rent.
- They held part or all of the rent with prior notice to the landlord, for the cost of emergency repairs.

Important Facts:

- The tenant is not entitled to withhold rent unless ordered by a dispute resolution officer.
- The tenant who accepts the notice must move out by the date set out on page 1 of this notice or sooner.
- An error in this notice or an incorrect move-out date does not make it invalid.

For More Information:

- Visit RTB web site at www.rto.gov.bc.ca.
- Contact a RTB office.
- Refer to *A Guide for Landlords and Tenants in British Columbia* available on the RTB web site and offices.

***This is page 2 of a 2-page Notice.
The landlord must sign page one of this notice and must give the tenant pages 1 & 2.***