

## **Electronic Service of documents is now available.**

### **1) What are the changes?**

The changes relate to how landlords and tenants may serve any notices on each other or on the Residential Tenancies Tribunal (“RTT”). Before, notices could only be served by mail, personally, or by fax. Serving documents by electronic transmission (e-mail) was not recognized under *The Residential Tenancies Act* (“the Act”). With these changes to the Act, parties can now serve each other and the RTT with important notices, such as a notice of termination, by electronic transmission (e-mail). (See question 3 for additional details.)

### **2) How do the changes affect my tenancy agreement?**

The changes to the legislation do not have any effect on your tenancy agreement. The amount of rent to be paid, the type of tenancy (ie. week-to-week, month-to-month, year-to-year, fixed term), the agreed upon terms and obligations all remain the same, and the tenancy agreement continues.

### **3) Can I now just start serving notices by e-mail because of these changes?**

No. For starters, the parties must have a signed written lease agreement in place to make use of the new sections of the Act. Second, under the signed written lease agreement, the parties must provide their e-mail address whereby they agree to accept service by electronic address as a form of serving documents.

### **4) I don’t have a signed written lease agreement at the present time with my landlord/tenant. What should I do so I can be able to serve notices by e-mail?**

Sit down with your landlord/tenant and use the updated *Form 6 – Residential Lease*. Complete and sign the lease agreement and ensure the section about serving by e-mail is completed. Each party should keep a copy of the signed lease agreement for their records. The *Form 6 – Residential Lease* is available on our website ([www.snb.ca/irent](http://www.snb.ca/irent)).

### **5) I do have a signed written lease with my landlord/tenant at the present time, and e-mails are noted in my lease, but there is no agreement to use these e-mail addresses for serving notices. What should I do so I can confirm these e-mails to be able to serve documents?**

Sit down with your landlord/tenant and complete a written amendment to your present lease to confirm that the e-mail addresses set out in the written lease agreement may be used for purposes of serving notice. Both parties should sign and date this amendment and attach to the existing lease agreement.

### **6) I am a landlord and my tenant has not paid rent. Can I now serve a Notice to Vacate on the tenant by e-mail?**

Only if the signed written lease agreement sets out that notices may be served in this manner. Until this is done, serving a Notice to Vacate must be done in one of the other accepted ways to serve a Notice to Vacate.

**7) Can I serve a copy of a Notice to Vacate on the Residential Tenancies Tribunal by electronic transmission (e-mail)?**

Yes. After the original is served on the Tenant, a copy may now be served on the Residential Tenancies Tribunal within 7 days of the Tenant being served electronically to our e-mail address: [irent@snb.ca](mailto:irent@snb.ca).

**8) Can I still use the other forms of service I always used to use?**

Yes - service can still be done by mail, personally, by fax, or any other way set out under the *Act*. In addition, agreeing to use electronic transmission for service does not cancel the existing forms of service; these methods of service are all still acceptable, recognized, and valid.

**9) What if my e-mail address changes down the road?**

You must give formal notice to your landlord/tenant of the change in your e-mail address. Until this is done, the e-mail that is set out in the signed written lease agreement will remain the accepted electronic address for service.

For more information, please consult [www.snb.ca/irent](http://www.snb.ca/irent), *The Residential Tenancies Act*, send an email to [irent@snb.ca](mailto:irent@snb.ca) or call the Residential Tenancies Tribunal toll-free at 1-888-762-8600.