

INFORMATION BULLETIN HEALTH, SAFETY, HOUSING AND BUILDING STANDARDS

IMPORTANT

The contents of this information bulletin are for information purposes only and do not replace the legislation.

RESPONSIBILITIES REGARDING STANDARDS

Landlords have a legal obligation to comply with all health, safety, housing and building standards and any other legal requirement for their rented premises. At the same time, tenants must not change the rented premises in any way that interferes with the landlord's obligations.

INVESTIGATION

A landlord or tenant with a complaint regarding health, safety, housing and building standards may submit a [Landlord Application for Assistance](#) or a [Tenant Application for Assistance](#) to the Residential Tenancies Tribunal. An assigned Residential Tenancies Officer will conduct a thorough investigation. The person with the complaint is responsible for providing evidence. During the investigation, the Residential Tenancies Tribunal will consult with other governmental departments if required, such as Public Health, Public Safety and Environment, as well as other stakeholders, such as police services, the Fire Marshal and municipal inspectors.

RENTALSMAN'S AUTHORITY

At the end of the investigation, the Residential Tenancies Officer may issue a Compliance Order to have the problem(s) corrected. If other professionals, such as municipal building inspectors, electrical inspectors, public health inspectors or the Fire Marshal become involved, they may also give any order that they are allowed to give under their own governing legislation or authority.

Landlord fails to comply:

If a landlord fails to comply with a Compliance Order issued by a Residential Tenancies Officer, the Residential Tenancies Officer has the authority to:

- a) ask any affected tenants to pay their rent to the Residential Tenancies Officer to cover the landlord's obligations, or
- b) at the request of the tenant, give a Notice of Termination to the landlord to end the tenancy on a day specified by the Residential Tenancies Officer, provided the Residential Tenancies Officer is satisfied that the landlord is unwilling or financial unable to comply with the obligations.

If the tenancy is ended by the Residential Tenancies Officer because the landlord is unwilling or financially unable to comply with the obligations, the Residential Tenancies Officer may order the landlord to pay a sum of money to the tenant. The sum cannot be more than one month's rent. The money would be compensation for any reasonable expenses that the tenant takes on because of the landlord's failure to comply with the order.

If the Residential Tenancies Officer decides that the premises were uninhabitable because of the landlord's failure to comply, the Residential Tenancies Officer may order the landlord to refund some rent money to the tenant. This money cannot be more than one month's rent.

Tenant fails to comply:

If the tenant fails to comply, the landlord may ask a Residential Tenancies Officer to issue a Notice to Quit on the tenant. A Notice to Quit will only be issued if the Residential Tenancies Officer determines

that the tenant interfered with the landlord's obligations of health, safety, housing and building standards.

CAUTION

Tenants have the legal right to ask that their landlord complies with all health, safety, housing and building standards and any other legal requirement with regard to any rented premises without fear of retaliation from the landlord.

A tenant who makes a complaint to their landlord may seek protection from the Residential Tenancies Tribunal if they receive a Notice of Termination. They may seek this protection at any time up to one year from the day the complaint was made and ending one year after that day provided that the application is made to the Residential Tenancies Tribunal within fifteen days of receiving the Notice of Termination.

The landlord must prove that the Notice of Termination was not given because of the tenant's complaint. If he/she is unable to do so, the Residential Tenancies Officer may decide that the Notice of Termination is not allowed.

ADDITIONAL INFORMATION

For additional information visit the Residential Tenancies Tribunal website, call the toll free telephone number, or send an email.

Website: www.snb.ca/irent

Email: irent@snb.ca

Phone: 1-888-762-8600