

## Rent Increases

### New Brunswick

#### Residential Tenancies Tribunal

##### **How much can a landlord increase my rent?**

The Residential Tenancies Act does not stipulate the amount by which rent can be increased. However, there are protections in place against retaliatory rent increases and additional protections for tenants in long term tenancies. Tenants are encouraged to contact the Tribunal if they feel they are facing an unreasonable rent increase or if they believe their notice was not served properly.

##### **Why doesn't New Brunswick have rent controls?**

Most provinces in Canada do not have rent controls. Even without rent controls, average rent increases in New Brunswick are consistently lower than provinces that do. Residential rental rates will continue to be set by market conditions in our province. Rent controls have been shown to lead to reluctance by landlords to invest in and maintain properties. This can reduce the number and quality of units available.

The *Residential Tenancies Act* offers protections against retaliatory rent increases and there are provisions for the Tribunal to review a Notice of Rent increase for long term tenancies to ensure it complies with reasonable market values.

According to CMHC data collected from 2019, New Brunswick remains the 2<sup>nd</sup> lowest rent rate in Canada.

A review of all provinces with legislation addressing the control of rent increases demonstrates that this measure does not lead to lower rent increases.

##### **What if I don't agree with my rent increase?**

You may at any time discuss the increase with your landlord. If you are unable to get the answers to your questions, you can ask the Residential Tenancies Tribunal for assistance by completing an Application for Assistance for a revision of a rent increase and include a copy of the notice of rent increase received.

##### **How often can a landlord increase my rent?**

Landlords can increase rent if the proper amount of notice is given.

For a fixed term lease or year-to-year tenancy, three months' notice is required.



For a month-to-month or week-to-week, two months' notice is required.

**Long-term tenancies:** Once a tenant is considered a long-term tenant (five years+) under the Act, a landlord must do the following to increase the rent:

- issue a Notice of Rent Increase that is a document separate from any other notice or receipt
- increase the rent for each unit in the same building by the same percentage or increase the rent in relation to what is reasonably charged for comparable units in the same geographic area.

**Tenants have 15 days after receiving the Notice of Rent Increase** from a landlord to complete an Application for Assistance to the Residential Tenancies Tribunal to request a revision of this notice.

**How much notice is required for a rent increase?**

Type of Lease	Minimum Notice Period
Fixed-Term Lease	-The Landlord may increase the rent only if the amount and the time of the increase are specified in Section 4 A (5) of the lease or -If permitted in Section 4 A (5) of the lease but not specified, at least three (3) months
Week-to-week lease	At least 2 months
Month-to-month lease	At least 2 months
Year to Year and Long-Term Tenancy	At least 3 months
Mobile Home Site	At least 6 months

**What must a landlord do to inform me of a rent increase?**

The rent increase must be a separate document from any other notice or receipt given to the tenant by the landlord and include:

- the name of the tenant,
- the address of the premises,
- the amount of the increase in rent
- the date when the increase is to take effect,
- and signed by the Landlord or Agent.

**What if I don't agree with the rent increase?**



You may choose to end the tenancy on the day immediately before the day on which the increase takes effect. The tenant must inform the Landlord in writing of their intent to end the tenancy and include the address of the premises, dated and signed by the tenant.

**What is a long-term tenancy?**

A long-term tenancy applies to all tenancies of premises, other than mobile home sites, that have been occupied by the same tenant for five consecutive years or more.

What if a tenant in a long-term tenancy (5 years +) considers the increased rent amount to be too much in comparison to other comparable units in the same geographic area?

A tenant in a long-term tenancy served a notice of rent increase may apply to the Residential Tenancies Tribunal within 15 days of receiving their notice to have it reviewed by a Residential Tenancies Officer.

***Still have questions about rent increases or other matters relating to a residential tenancy in New Brunswick please call 1-866-762-8600 or email [irent@snb.ca](mailto:irent@snb.ca).***

