
Residential tenancies

Overview

Residential tenancies deals with the rights and responsibilities of residential landlords and tenants in Nova Scotia.

Residential tenancies includes:

- Lease types and terms
- Security deposits, rent
- Statutory obligations (landlord & tenant)
- Ending a tenancy
- Landlord and tenant complaints process.

Objectives

To understand the minimum residential rental housing rules in Nova Scotia, and the basic process for resolving landlord and tenant disputes.

Agenda

Welcome and group discussion, questions on previous topics.

Presentation on: Residential Tenancies Law

- Overview of main information and referral resources for employment law
- Basics of the Nova Scotia Residential Tenancies Act.

Activities: How would you answer?

Together or individually, research the questions below and explain your answer.

1. I am a month behind on my rent. Can the landlord evict me?
2. I asked my landlord to return my damage deposit but he just gave me a list of damages. What can I do?
3. I won the hearing at Residential Tenancies. How do I get my money?
4. What happens at a RT hearing?

Landlord and tenant

Residential tenancies: Service NS

Residential tenancies: Appeals

Key Resources

- Powerpoint presentation on residential tenancies law, housing at legalinfo.org
- Residential Tenancies: [Guides for Landlords and Tenants](#)
- [Nova Scotia Legal Aid](#) - information & representation for tenants
- [Dalhousie Legal Aid](#) - information & representation for tenants
- [Investment Property Owners of Nova Scotia](#)
- [Residential Tenancies: Service Nova Scotia](#)
- Residential Tenancies Appeals: [Small Claims Court, Supreme Court](#)
- Nova Scotia [Human Rights Commission](#)

Activities: How would you answer?

5. Can a landlord have rules about cannabis?
6. How long do I have to file a complaint with Residential Tenancies?
7. My landlord won't do repairs. What can I do?
8. I am an international student. The landlord asked for an application fee to rent an apartment.
9. I lost at Residential Tenancies. Can I appeal?
10. I need to break my lease early for health reasons.

Case example: Discussion

I am in month six of a one year lease.

I came to Nova Scotia last fall but have been unable to find work. I have been paying my rent \$1250 plus heat and power \$ 300 from my personal savings. I had every intention of keeping up my lease agreement but now, financially I am unable. I wish to leave Nova Scotia so I can secure employment.

My landlord has advertised and is showing the property but what can I do if no one takes over the lease?

Key Laws

- [Residential Tenancies Act](#)
- [Residential Tenancies regulations](#)
- [Small Claims Court Act](#)
- [Small Claims Residential Tenancies Appeal regulations](#)
- [Human Rights Act \(NS\)](#)

Legal Question	Where would you start? Answer key
I am a month behind on my rent. Can the landlord evict me?	Information about the 15-day eviction: unpaid rent Notice to Quit for Rental Arrears: novascotia.ca/residential-tenancy-forms Nova Scotia Legal Aid, Dalhousie Legal Aid
I asked my landlord to return my damage deposit but he just gave me a list of damages. What can I do?	Application to Director of Residential Tenancies to resolve disputes Form J: novascotia.ca/application-director
What is the time limit for complaining about a Residential Tenancies issue?	Application to Director Form J Can apply up to 1 year after tenancy end. s. 13 RTA
What happens at a RT hearing?	Mediation and Hearings RT Policy: Format of hearing
Can a landlord have rules about cannabis?	Yes. See Cannabis Control Act, and Residential Tenancies info
My landlord won't do repairs. What can I do?	Exploring your options to resolve disputes
I am an international student. My landlord asked for an application fee to rent an apartment.	Landlord cannot charge application fee (s. 6 RTA). Refer: Residential Tenancies (1 800 670-4357) NS Human Rights Commission
I lost at Residential Tenancies. Can I appeal?	10 calendar days. Small Claims Court. Fee can be waived if low-income
I need to break my lease early for health reasons.	Residential Tenancies Form G - Tenant's Notice to Quit: Early Termination: 1 month's notice Residential Tenancies Form H - Physician's Certificate Guide to Form G/H - Early Termination
I won the hearing at Residential Tenancies. How do I get my money?	If not appealed, see Enforcing a Small Claims Court Order

For Discussion

- landlord's duty to mitigate
- option to sublet (landlord cannot withhold consent unreasonably) or assign.