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## How to end month to month tenancy bc

Here's what you need to know about your lease agreement. While the BC tenancy agreement is meant to be straight-forward, there are still plenty of questions that can accompany the lease. Below, we answer the top 10 questions we get asked most often by our tenant community. First, let's define the BC Residential Tenancy Agreement. Simply put, this document outlines the terms of your tenancy with your landlord. In general, the tenancy agreement includes: Named parties: Full names of the landlord and tenant(s) Initial tenancy term: Most agreements are set for a specific amount of time (e.g. one year) Rental rate: Amount and due dates, plus whether utilities, laundry, or cable are included in the rent Damage deposit and pet deposit (if applicable): Each deposit is equal to half of one month's rent Pet restrictions (if applicable): Restrictions on size/number of animals The rights and responsibilities of landlords and tenants are also described in the agreement, with details on notice to end tenancy, notice of rent increase, subletting, and more. Now, let's get to those questions... 1. Do all tenants need to be on the tenancy agreement? Not necessarily, but the "co-tenant" arrangement is the most common set-up for couples and friends-in which tenants share a single tenancy agreement. Co-tenants are listed on the tenancy agreement and are jointly responsible for the terms of the lease. In this scenario, if one co-tenant gives notice, the current agreement will end and a new agreement will be required for the co-tenant(s) who decide to stay. And, if any damage is caused during the lease period, compensation is required from all co-tenants named on the lease. Alternatively, in an "occupant/roommate" arrangement, a person pays rents directly to the tenant listed on the lease, but is not named on the lease and, as a result, is not covered for dispute resolution under the BC Residential Tenancy Act. 2. Is power included in apartment rent? Sometimes—which is why it's important to read your tenancy agreement carefully. In general, unfurnished rentals will not include power, while fully-furnished often will. Hydro electricity typically powers lights, electronics, appliances, and space and water heating in condos—this type of account can account be set up directly with BC Hydro. Buildings powered by district energy may require a separate account with another provider. At Birds Nest Properties, we'll help you understand how to get set up. 3. What is a condition inspection report? A condition inspection report details the state of the home before you move in, and its state when you move out. The report—or checklist—allows you to document any damage before, or as a result of, your tenancy. 4. What is normal wear and tear for a rental in BC? Normal wear and tear is considered deterioration due to aging or usage over time. As a tenant, you're responsible for any "substantial" damages that occur during the tenancy, but not for normal wear and tear. This means upholding a reasonable standard of health and cleanliness, routine yard work (if applicable), as well as carpet cleaning and wall mark/nail hole removal at the end of your tenancy. 5. Can a landlord charge late fees for rent in BC? Your landlord can charge \$25 for late payment, if this term has been written into your tenancy agreement. At Birds Nest Properties, we'll contact you to see if something was amiss with your account and resolve the situation with you and your landlord as quickly as possible. 6. How much notice do I need to provide a landlord in BC? And, how much notice is required to provide a tenant in BC? At the end of a fixed-term tenancy agreement, you and your landlord can agree to another fixed term—otherwise, the lease automatically continues on a month-to-month basis. If you'd like to move out at the end of the fixed term, written notice is required at least one month in advance of the effective date. For a month-to-month tenancy, you can provide notice to end tenancy by providing your landlord at least 30 days' written notice—before the date that rent is due. For example, if rent is due on the first of the month, a notice given on April 15 would take effect on the last day of May. Your landlord can also serve notice to end tenancy when he/she plans to use the property. In this situation, two months' notice is required and your landlord must provide compensation of one month's rent. 7. How much notice is required for a rent increase in BC? Any rent increase requires three months' notice, and your landlord can only increase the rental rate 12 months after the current rate was established. 8. Can I break my BC tenancy agreement early? In general, a fixed-term tenancy agreement is difficult to break—but, there are a few circumstances where this may be feasible: Mutual agreement to end tenancy: If both parties agree—in writing—to end the tenancy early. Sublet/assignment: If your lease allows you to sublet your rental home, or permanently assign your tenancy agreement to a new tenant. Landlord breach of material term: If your landlord breaches a "material term" and fails to correct the situation in a reasonable time period (e.g. fails to provide a utility included in the lease and fix the situation in a timely manner). Family violence/long-term care: If you need to protect yourself or your family from violence, or if you require long-term care. 9. Can subletting be banned in a BC tenancy agreement? You may sublet or assign your rental home—with your landlord's permission. However, if your fixed-term tenancy agreement has six months or more remaining, your landlord cannot refuse if the proposed new tenant follows the same tenancy agreement terms. 10. What happens when a BC tenancy agreement expires? When a fixed term tenancy agreement ends, the lease converts into a new agreement on a month-to-month basis—at the same rental rate—unless both parties commit to a new fixed term. At Birds Nest Properties, we're in touch prior to your lease expiry to see what type of lease works best for you going forward. Have more questions? Email us for answers at [info@birdsnestproperties.ca](mailto:info@birdsnestproperties.ca) or DM us on Instagram. \*\*\*\*\* Birds Nest Properties is boutique property management company that specializes in condo and townhome rentals in Vancouver, Burnaby, Richmond, New Westminster, Coquitlam, Port Moody, North Vancouver, and West Vancouver. The notice period for ending a tenancy for demolition or conversion to another use is now 4 months. As of July 1, 2021 the process for ending a tenancy for renovations or repairs has changed. More information. Landlords must give proper notice to tenants if they plan to end a tenancy - there are different notice forms required for different situations: By law, tenants must always be given the right amount of notice - even if the landlord uses an incorrect date. This correction can be made without having to go through the dispute resolution process. Contact us if you're unsure about the effective date of a notice Serving a Notice to End Tenancy All Notices to End Tenancy have multiple pages. The notice is only valid if the landlord serves all pages to the tenant. There are rules about how and when a landlord can serve notice - be sure to do it correctly: Lookup the rules for serving notices Disputing a Notice to End Tenancy Tenants who disagree with a notice need to apply for dispute resolution - writing a letter or talking to the landlord isn't enough. Submit a tenant's application for dispute resolution along with a copy of the Notice to End Tenancy. Choose from these forms groups on the forms page: Dispute Resolution Forms - Standard Dispute Resolution Forms - Direct Request If a tenant submits an application for dispute resolution by the appropriate deadline, the notice is suspended until an Residential Tenancy Branch arbitrator makes a decision. If not, the tenancy ends on the date stated in the notice. When a Tenant Doesn't Leave The tenant is required to leave by the last day of tenancy - the effective date stated on a notice. The landlord should talk to the tenant to confirm the moving date. If the tenant doesn't dispute the notice and does not leave by 1 p.m. on the effective date, then the landlord can apply for an Order of Possession - a legal document from an arbitrator that orders the tenant to leave. Apply for dispute resolution If the tenant still doesn't leave after being served with an Order of Possession, the landlord must obtain a Writ of Possession from the Supreme Court of B.C. in order to hire a bailiff to remove a tenant or their belongings and, if desired, change the locks. A landlord cannot physically remove a tenant, remove a tenant's possessions or prevent a tenant from accessing a rental property without a Writ of Possession from the Supreme Court. The content on this website is periodically reviewed and updated by the Province of British Columbia as per the date noted on each page: July 5, 2021. Contact the Residential Tenancy Branch





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