Is Your 14-day ***Notice*** *of* ***Eviction*** **Legal?**

Eviction Notices Under Alberta's *Residential Tenancies Act* (*RTA*)

Is the notice in writing? YES →
If NO, then your landlord has not followed the *RTA*.*

Is the address of the rental property stated on the notice? YES ↓
If NO, then your landlord has not followed the *RTA*.*

Is the notice signed by the landlord or the landlord's agent? YES →
If NO, then your landlord has not followed the *RTA*.*

Is the termination date included in the notice?
(The termination day is the day that you must move out)
YES ↓
If NO, then your landlord has not followed the *RTA*.*

Is the amount of rent that is due included in the notice? YES →
If NO, then your landlord has not followed the *RTA*.*

Is the reason for the termination provided in the notice? YES ↓
If NO, then your landlord has not followed the *RTA*.*

Is the reason for the termination allowed by the *Residential Tenancies Act*? YES →

A landlord can serve a 14 day notice if:

- You haven't paid the rent
- You've interfered with the rights of other tenants or the landlord
- You've done something illegal in the property or common areas
- You've done something in the property or common areas that put another person in danger
- You've caused significant damage to the property or common areas
- You have not kept the property reasonably clean
- You failed to vacate the property when the tenancy was over

If NO, then your landlord has not followed the *RTA*.*

Did the landlord provide you with enough notice?

The landlord must give you 14 clear days' notice.

This means that the day you are served with the notice, and the day you must move out (termination day), do not count in the notice period.

For example, if a notice is served on Nov 2, then the tenant's termination day is Nov 17, and the notice period is the 3rd to the 16th (14 clear days).

YES ↓
If NO, then your landlord has not followed the *RTA*.*

Was the notice properly served? YES ←

- Were you handed the notice?
- Was the notice given to you through certified or registered mail?
- Did another adult in the property get served with the notice?
- Was the notice posted on an easy to see place on the property?
- Was the notice sent to you electronically? **This may or may not be legal.** Call Service Alberta at 1-877-427-4088 for more information.

If NO, then your landlord has not followed the *RTA*.*

Is the reason for the notice because you didn't pay the rent?

YES ↓

YES, the notice is legal. You cannot object to a notice for unpaid rent.

If you pay the rent that you owe before the termination day, then you can continue to live in the property.

NO ↓

If you do not agree with the eviction, you can write a letter called a *Notice of Objection*.

You should include the reasons why you don't agree. You must serve the Notice of Objection on the Landlord before the Termination Day.

***NO, your landlord has not followed the procedure set out in the *Residential Tenancies Act* (*RTA*).**

What can you do?

- **Write a letter to your landlord (called a *notice of objection*).** If you are not going to move, then you should include the reasons why you are not moving (including specifics if your landlord hasn't followed the *RTA*). You should serve the letter on your landlord.
- **You may want to give your landlord a copy of the *RTA*** so that your landlord can see their obligations too. You can print sections of the law online from the Alberta King's Printer website at **www.alberta.ca/alberta-kings-printer**
- If your landlord still wants to evict you, then they can:
  - **Serve you with another 14 day notice**, or
  - **Make an application against you through RTDRS or Alberta Court of Justice.** You should receive notice of the application, and be given a chance to provide your own evidence.
- **It is illegal for your landlord to change the locks.** Your landlord can be fined, and you can make an application against your landlord for expenses you incur because of the lockout. You should contact Service Alberta for more information at 1-877-427-4088.

LAWS FOR LANDLORDS AND TENANTS IN ALBERTA

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