



## Form N4 - Checklist

### Notice to End a Tenancy Early for Non-payment of Rent

Before you serve the attached notice to your tenant(s), make sure you can answer **YES** to each of the following questions. If not, your notice may be invalid. If you file an application to the Landlord and Tenant Board based on an invalid notice, your application may be dismissed and you will have to start over.

**Have you waited until the day after the rent was due to give this notice to the tenant?**

Your tenant has until midnight on the day that rent is due to pay you the rent. Make sure you wait until the day after the rent was due before you give the tenant this notice.

**Did you fill in the correct termination date?**

If your tenant pays rent by the month or year, you must give **at least 14 days** notice. If your tenant pays rent by the **day** or **week**, you must give **at least 7 days** notice.

When counting the days, do not include the date you are giving the notice to the tenant. For example, if you give the notice to the tenant by hand on March 3rd, the first day of the 14-day notice period is March 4th; in this example, the earliest termination date would be March 17th. **If you are giving the notice to the tenant by mail or courier, you have to add extra days in calculating the termination date.** Read the Instructions to this form to see how many days you have to add.

**Did you name each tenant who is in possession of the rental unit?**

If there is more than one tenant in possession of the rental unit, fill in the names of all the tenants on the notice. Make sure you spell each tenant's name correctly. You must give **each tenant** a copy of this notice.

**Did you fill in the complete address of the rental unit?**

Be sure that you have provided the full address - be sure to also identify the correct rental unit (for example Unit 202 or Basement) and provide the postal code.

**Did you check your math?**

Make sure you have correctly calculated the amount you believe the tenant owes. Check the calculations in the table on page 2 to be sure the Total Rent Owed is correct. Then check that this amount matches the amount you put in the box on page 1.

**Did you include only rent amounts?**

This form is only for non-payment of **rent**. Rent includes the basic rent for the rental unit, plus any amount the tenant pays you separately for services (such as parking). If the tenant is paying all or a portion of a utility bill directly to the utility company or indirectly through the landlord, this is not considered rent. See the Instructions for more information.

You should **not** use this form to ask the tenant to pay amounts other than rent (such as the last month's rent deposit or an NSF cheque charge).

**Did you sign and date the notice?**

If you don't, the notice may be invalid.

**You should remove this checklist before you give the tenant the notice.**

<b>To: (Tenant's name)</b> include all tenant names	<b>From: (Landlord's name)</b>
<b>Address of the Rental Unit:</b>	

**This is a legal notice that could lead to you being evicted from your home.**

<b>The following information is from your landlord</b>
<p><b>I am giving you this notice because I believe you owe me \$ _____ . _____ in rent.</b></p> <p>See the table on the next page for an explanation of how I calculated this amount.</p> <p><b>I can apply to the Board to have you evicted if you do not:</b></p> <ul style="list-style-type: none"> <li>• <b>pay this amount by</b> <span style="border: 1px solid black; padding: 2px 10px; display: inline-block; text-align: center;">/ /</span> . This is called the termination date. <span style="margin-left: 100px;">dd/mm/yyyy</span></li> <li><b>Or</b></li> <li>• <b>move out by the termination date.</b></li> </ul> <p>If another rent payment becomes due on or before the date you make the above payment to your landlord, you must also pay this extra amount.</p>

### WHAT YOU NEED TO KNOW

The following information is provided by the Landlord and Tenant Board

**The termination date**

The date that the landlord gives you in this notice to pay or move out must be at least:

- 14 days after the landlord gives you the notice, if you rent by the month or year, or
- 7 days after the landlord gives you the notice, if you rent by the day or week.

**What if you agree with the notice?**

If you agree that you owe the amount that the landlord is claiming, you should pay this amount by the termination date in this notice. If you do so, the landlord cannot apply to the Board to evict you based on this notice.

If you do not pay the amount owing, you do not have to move out. However, the landlord can apply to the Board to evict you. If the landlord applies to the Board to evict you and the Board orders the eviction, you will likely have to pay the landlord's filing fee, in addition to what you owe.

**What if you disagree with the notice?**

You do not have to move out if you disagree with this notice. You could talk to your landlord. You may also want to get legal advice. If you cannot work things out, the landlord may apply to the Board for an order to evict you. The Board will schedule a hearing where you can explain why you disagree.

**What if you move out?**

If you move out by the termination date in this notice, your tenancy will end on the termination date. However, you may still owe money to your landlord. Your landlord will not be able to apply to the Board but they may still take you to Court for this money.

**How will you know if the landlord applies to the Board?**

The earliest date that the landlord can apply to the Board is the day after the termination date in this notice. If the landlord does apply, the Board will schedule a hearing and send you a copy of the application and the *Notice of Hearing*.

**What you can do if the landlord applies to the Board**

- Talk to your landlord about working out a payment plan.
- Go to the hearing where you can respond to the claims your landlord makes in the application; in most cases, before the hearing starts you can also talk to a Board mediator about mediating a payment plan.
- Get legal advice immediately; you may be eligible for legal aid services.

**How to get more information**

For more information about this notice or about your rights, you can contact the Landlord and Tenant Board. You can reach the Board by phone at **416-645-8080** or **1-888-332-3234**. You can also visit the Board's website at [sjto.ca/LTB](http://sjto.ca/LTB).

**The following information is from your landlord**

This table is completed by the landlord to show how they calculated the total amount of rent claimed on page 1:

Rent Period		Rent Charged \$	Rent Paid \$	Rent Owing \$
From: (dd/mm/yyyy)	To: (dd/mm/yyyy)			
/ /	/ /	.	.	.
/ /	/ /	.	.	.
/ /	/ /	.	.	.
Total Rent Owing \$				.

**Signature**

Landlord       Representative

First Name

Last Name

Phone Number

(       )       -

Signature	Date (dd/mm/yyyy)
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**Representative Information (if applicable)**

Name	LSUC #	Company Name (if applicable)	
Mailing Address			Phone Number
Municipality (City, Town, etc.)	Province	Postal Code	Fax Number