

## RESIDENTIAL TENANCIES ACT

### RENTAL ARREARS

#### Section 18 - Rental Arrears

In a monthly or term agreement, if the rent is in arrears for 15 days, the landlord can give the tenant a 10 day written notice of termination. The notice should be signed by the landlord or agent of the landlord, identify the residential premises and state the date for which the notice is effective.

The notice may be served personally to the tenant, given to a person 16 years of age or older who apparently lives with the tenant, posting it in a conspicuous place on the rental unit, placing it in the tenant=s mailbox or under the door, sending it by registered mail, or express post at an address provided by the tenant or where the tenant carries on business, sent by courier or another method authorized by the Director of Residential Tenancies.

**Example: the rent is due the 1<sup>st</sup> day of each month. The tenant does not pay all or part of the rent by the 16<sup>th</sup> day of that month (the tenant is 15 days late paying the rent). The landlord can give a notice of termination to the tenant on the 16<sup>th</sup> day of the month to move out on the 26<sup>th</sup> day of the month.**

**NOTE:** If the rental arrears, plus late fees are paid in full before the effective date of the notice of termination, the notice to terminate is void.

However, when a notice of termination has been given more than twice in a twelve month period, the notice to terminate is valid.

### **Section 13 - Late Payment Fee**

When rent is not paid on time, a landlord can charge a late payment fee in an amount set by the minister as follows:

\$5.00 for the first day rent is in arrears and \$2.00 for each additional day that the full rent remains unpaid in any consecutive number of rental periods up to a maximum of \$75.00.

*Revised September 2011. This information has been summarized and, therefore, is not necessarily quoted directly from the Residential Tenancies Act. Please see Act for further clarification and detail.*

For further information visit our web site @ [www.gs.gov.nl.ca/cca/tp/residential-tenancies](http://www.gs.gov.nl.ca/cca/tp/residential-tenancies)  
or phone St. John=s 709-729-2610 or 5829; Gander 709-256-1019;  
Corner Brook 709-637-2445 OR phone our toll free number 1-877-829-2608