

What You Should Know About Security of Tenure

The *Residential Tenancies Act* protects most tenants from having their tenancy agreements terminated without cause. In most cases, a landlord must make an application to a rental officer, based on an alleged breach of a tenant obligation contained in the Act or the tenancy agreement, to obtain an order terminating a tenancy agreement. The tenant is entitled to a hearing where he/she may respond to the allegations before a rental officer makes a determination.



There are a few situations where a landlord may terminate a tenancy agreement without seeking an order from a rental officer.

1. Where the building contains only one rental premises which was the only residence of the landlord in the NWT, a landlord may give notice to the tenant to terminate the tenancy agreement in the same way a tenant is required to give the landlord notice to terminate. Refer to sections 51 and 52 of the *Residential Tenancies Act* or “*What You Should Know About Terminating Tenancy Agreements*”.
2. Where the landlord is also the employer of the tenant and the rental premises are provided as a benefit of employment, the tenancy agreement is terminated on the same date the employment is legally terminated. The tenant is required to vacate no later than one week after the tenancy and employment are terminated during which the landlord may not charge rent or seek compensation for occupancy.

Security of tenure also applies to most term tenancy agreements which are automatically renewed on a month-to-month basis unless the landlord and tenant enter into a new agreement or the tenancy agreement is terminated in accordance with the Act.

There are several situations where term agreements are *not* automatically renewed.

1. If the premises are subsidized public housing.
2. If the premises are provided by an employer to an employee as a benefit of employment.
3. If the building contains only one rental premises that was the only residence of the landlord in the NWT.

This is provided as information only and is not a statement of law. If you have any questions concerning abandoned premises or other landlord/tenant issues, contact the Rental Office at 920-8047 (in Yellowknife or toll-free at 1-800-661-0760).