

Notice to Terminate a Tenancy at the End of the Term For Landlord's or Purchaser's Own Use

Form N12

Instructions

Use this form to terminate a tenancy at the end of the term for any of the following reasons:

- you, a member of your immediate family or a person who provides or will provide care services to you or a member of your immediate family wants to move into the rental unit
- the purchaser, a member of the purchaser's immediate family or a person who provides or will provide care services to the purchaser or a member of the purchaser's immediate family wants to move into the rental unit

It is your responsibility to make sure that your notice complies with the requirements of the *Residential Tenancies Act*. You can obtain this form at the Landlord and Tenant Board office in your area or from the Board's website at www.LTB.gov.on.ca.

January 31, 2007

About this notice...

Use this form to terminate the tenancy at the end of the term, if:

- you, a member of your immediate family or a person who provides or will provide care services to you or a member of your immediate family wants to move into the rental unit, or
- the purchaser, a member of the purchaser's immediate family or a person who provides or will provide care services to the purchaser or a member of the purchaser's immediate family wants to move into the rental unit.

There are many ways that you can give this notice to the tenant. You can:

- hand it directly to the tenant or to an adult in the rental unit,
- leave it in the tenant's mailbox or where mail is ordinarily delivered,
- place it under the door of the rental unit or through a mail slot in the door,
- send it by fax to a fax machine where the tenant carries on business or to a fax machine in their residence,
- send it by courier (if you courier it, you must allow one business day for delivery),
- send it by mail (if you mail it, you must allow five days for delivery).

You cannot give the tenant this notice by posting it on the door of the tenant's rental unit.

Keep a copy of this notice for your records.

If the tenant does not move out by the termination date you put in this notice, you can apply to the Landlord and Tenant Board for an order terminating the tenancy and evicting the tenant.

How to complete this form...

- To:** Fill in the tenant's name and complete address, including the unit number. If there is more than one tenant living in the rental unit, fill in the names of all of the tenants.
- From:** Fill in the landlord's name and address. If there is more than one landlord, fill in the names of all the landlords.
- Address of Rental Unit:** Fill in the address and unit number of the rental unit covered by this notice
- Termination Date:** Fill in the termination date. You must give the tenant this notice at least 60 days before the last day of the rental period or, if the tenancy is for a fixed term (such as a one year lease), at least 60 days before the last day of the fixed term. The termination date must be the last day of the rental period or the last day of the tenancy agreement, if the agreement is for a fixed term. When you are counting the days for the notice, do not count the day that you are giving this notice.

Example:

Theresa Able, the landlord, has a monthly tenancy agreement with Bill Freeman. She is terminating the tenancy because her stepdaughter will move in. Theresa must give Bill at least 60 days notice of termination. She decides that she wants Bill to move out of the rental unit by August 31, 2007. The latest date that Theresa could give Bill the notice would be July 2, 2007.

Once you have given this notice to the tenant, the tenant may terminate the tenancy on an earlier date by giving you at least 10 days written notice of the tenant's intent to do so.

Reason for this Notice: You can give this notice to the tenant for one of the following reasons:

1. Landlord's own use

- You or a member of your immediate family wants to move into the rental unit.
- A person who provides or will provide care services to you or a member of your immediate family wants to move in to the rental unit.

You can only give this notice for a caregiver to move into the rental unit if the person who is receiving or will be receiving the care services lives or will live in the same building or group of buildings as the rental unit. If the rental unit is in a mobile home park or land lease community, then the person who is receiving or will be receiving the care services must live in or plan to live in the same mobile home park or land lease community as the rental unit.

2. Purchaser's own use

- You have entered into an Agreement of Purchase and Sale of the residential complex and the purchaser or a member of their immediate family wants to move into the rental unit. (You can only terminate the tenancy for this reason if the complex contains three or fewer residential units; however, this restriction does not apply if the units are in a condominium building.)
- You have entered into an Agreement of Purchase and Sale of the residential complex and a person who provides or will provide care services to the purchaser or a member of their immediate family wants to move into the rental unit. (You can only terminate the tenancy for this reason if the complex contains three or fewer residential units; however, this restriction does not apply if the units are in a condominium building.)

You can only give this notice for a caregiver to move into the rental unit if the person who is receiving or will be receiving the care services lives or will live in the same building or group of buildings as the rental unit. If the rental unit is in a mobile home park or land lease community, then the person who is receiving or will be receiving the care services must live in or plan to live in the same mobile home park or land lease community as the rental unit.

Immediate family: The landlord or purchaser's "immediate family" includes the landlord or purchaser's child or parent, the landlord or purchaser's spouse or the spouse's child or parent.

On the form, check the reason that applies to your situation and check the appropriate box to indicate how the person who will move into the unit is related to you or the purchaser. If the rental unit will be occupied by a caregiver, check the appropriate box to indicate who the caregiver will provide care services to.

You cannot give a notice of termination for any of these reasons if:

- the complex has been converted to a condominium and the tenant lived in the rental unit on the date the complex was registered as a condominium, the complex is proposed to be converted to condominium and the tenant lived in the rental unit on the day the agreement of purchase and sale was entered into,
- the complex was severed and the tenant lived in the rental unit at the time consent to the severance was given under the *Planning Act*,
- the complex is an equity co-op (even if the landlord or the purchaser has a tenancy or occupancy agreement entitling them to occupy the rental unit), unless:
 - the building contains four or fewer residential units, or
 - the landlord or a member of their immediate family used to live on the premises.

Signature: If you are the landlord, check the box marked “landlord” and sign your name. Print your name above your signature. Include your telephone number and the date you are signing this notice.

If you are the landlord’s agent, check the box marked “agent”, sign your name and include the date you are signing this notice. In the space marked “Agent Information”, fill in your name, company name (if applicable), mailing address, telephone number and a fax number if you have one.

If you need more information...

If you need more information or have any questions, call the Landlord and Tenant Board at 416-645-8080 or toll-free at 1-888-332-3234. You can also visit the Board’s website at www.LTB.gov.on.ca.