

## Landlord's Notice to the Spouse of the Tenant who Vacated the Rental Unit N14

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### What is the N14 notice?

The N14 notice is a Board approved form that landlords can give to the spouse of a tenant, if the tenant moved out of a rental unit without giving notice. The N14 notice informs the spouse of what they must do if they want to stay in the rental unit and become the tenant.

**Exception:** If the rental unit is located in a building that contains three or fewer units and the landlord resides in the building, the spouse does not have the option to become the tenant, unless the spouse and the landlord agree. In this case, the landlord does not use the N14 notice.

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### When can you use the N14 notice?

Unless the exception set out above applies to you and your tenant(s), you can use the N14 notice in the following situation:

- the tenant moved out of the unit without giving you a notice of termination, without getting a notice of termination from you, and without agreeing with you to move out,
- the spouse of the tenant is still residing in the rental unit, **and**
- the tenant owes you rent.

If the above conditions are met, you can serve the N14 notice to the spouse, and the spouse can either choose to become the tenant of the rental unit, or choose to move out. You must give the spouse the N14 notice within 45 days from the day you believe the tenant moved out of the rental unit.

You **do not** have to give the spouse the N14 notice if:

- it has been more than 45 days since the day you believe the tenant moved out, or
- the tenant that moved out was not in arrears of rent.

In these situations you may apply to the Landlord and Tenant Board to **evict an unauthorized occupant** (form A2). A hearing will be held before an order is issued.

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### What information must be included in the N14 notice?

You must include the following information in the space provided on the N14 notice:

- the landlord's name,
- the name of the spouse (if you do not know it, you can write "Unknown"),
- the address of the rental unit,
- the name of the tenant who moved out,
- the date you believe the tenant moved out,
- how much rent the tenant owes,
- the current rent for the rental unit,
- the date the next rent payment is due, and
- the landlord's address and phone number.

Sign and date the form. If you are the representative of the landlord, include your contact information in the space provided.

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**How does the spouse become the tenant?**

To become the tenant, there are two things the spouse must do:

- inform you that he or she wants to stay in the unit, **and**
- agree in writing to pay the rent that is owing for the rental unit.

Attached to the N14 notice is the form called **Notice to Landlord and Agreement to Pay the Rent Owing**. If the spouse wants to become the tenant of the rental unit, the spouse must sign this form and return it to you within **15** days from the day they were given the N14 notice.

If the spouse signs the **Notice to Landlord and Agreement to Pay the Rent Owing** form and returns it to you, the spouse becomes the new tenant of the rental unit.

This means that the tenancy agreement for the new tenant (the spouse) is the same one that existed for the tenant that moved out, and the rent for the unit does not change.

**What if the spouse does not return the signed form within 15 days?**

You may apply to the Landlord and Tenant Board for an order to evict the spouse as an unauthorized occupant of the rental unit (application form A2) if:

- the spouse does not return the signed **Notice to Landlord and Agreement to Pay the Rent Owing** form to you within 15 days after the notice was given to them, and
- the spouse does not move out of the rental unit.

A hearing will be held before an order is issued.

**What if you don't know if the person still living in the unit is the spouse?**

In some situations, you might not know if the person still living in the rental unit is the spouse of the tenant who moved out. If you do not know who the person is, you do not have to serve the N14 notice. Instead, you can file an application to **evict an unauthorized occupant** (form A2) with the Board, and the Board will hold a hearing.

If you file an application to get an eviction order, and the person living in the rental unit is the spouse of the tenant who moved out, they can still become the tenant by doing the following:

<b>If...</b>	<b>Then...</b>
there is rent owing for the unit	the spouse can become the tenant if they: <ul style="list-style-type: none"><li>• inform you that they want to stay, <b>and</b></li><li>• agree in writing to pay the rent owing for the unit, <u>before</u> the Board issues an order.</li></ul>
there is no rent owing for the unit	the spouse can become the tenant if they: <ul style="list-style-type: none"><li>• inform you that they want to stay in the rental unit before the Board issues an order.</li></ul>

**Landlord's Notice to the Spouse of the  
Tenant who Vacated the Rental Unit  
N14**

<b>To:</b> (Tenant's name and address)	<b>From:</b> (Landlord's name and address)
<b>Address of the Rental Unit:</b>	
<p><b>The tenant of the unit above,</b> _____ ,  <div style="text-align: center;">(insert name)</div> <ul style="list-style-type: none"> <li>• owes me \$ <input style="width: 150px; height: 20px;" type="text"/> in rent, to the period ending _____ ,  <div style="text-align: right;">dd/mm/yyyy</div></li> <li>• and I believe that he/she moved out of the rental unit on or about _____ .  <div style="text-align: right;">dd/mm/yyyy</div></li> <li>• The current rent for the rental unit is \$ <input style="width: 150px; height: 20px;" type="text"/> per _____ .  <div style="text-align: right;">(day/week/month)</div></li> <li>• The next rental payment is due on _____ .  <div style="text-align: right;">dd/mm/yyyy</div></li> </ul> </p>	

**IF YOU WANT TO STAY IN THE RENTAL UNIT**

**If you want to stay in the rental unit and become the tenant, you have 15 days from the date I give you this notice to do the following:**

- let me know that you want to stay in the rental unit, and
- agree, in writing, to pay any rent that is owing

You can do this by signing the attached notice called: **"Notice to Landlord and Agreement to Pay the Rent Owing"**

**If you want to stay in the unit ...** If you give me a signed copy of the Notice to Landlord and Agreement to Pay the Rent Owing, I will consider that you are the tenant of the rental unit identified above. (Make a copy of the signed agreement for yourself.)

If you become the tenant, you will be responsible for paying me the amount of rent owing.

**If you do not pay the rent owing...** If you sign the agreement and you do not pay me the amount of rent owing, I can give you an N4 Notice to End Your Tenancy for Non-payment of Rent. I can then apply to the Landlord and Tenant Board for an order evicting you for not paying the rent, and to collect the rent owing. If you dispute the amount I claim is owing, you may attend the hearing and tell the adjudicator.

**If you do not respond to me within 15 days...**

If you do not give me a signed copy of the agreement within 15 days after I give you this notice, I will assume you do not want to stay in the rental unit. In this case, I can apply to the Landlord and Tenant Board to have you evicted as an unauthorized occupant of the rental unit.

**If you want to move out of the rental unit...**

If you do **not** want to stay in the rental unit, you do not have to sign the Notice to Landlord and Agreement to Pay the Rent Owning. If you do not inform me of what you intend to do within 15 days after I give you this notice, and, if you do not move out of the rental unit, I can apply to the Landlord and Tenant Board to have you evicted as an unauthorized occupant of the rental unit.

If you have any questions about this form and the law, you can contact the Landlord and Tenant Board at **416-645-8080**, or toll-free at **1-888-332-3234**. You may also visit the Board's website at [sjto.ca/LTB](http://sjto.ca/LTB) for further information.

**Signature**

Landlord

Representative

Name of Person Signing	Phone Number
Signature	Date

**Representative Information (if applicable)**

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

## Notice to Landlord and Agreement to Pay the Rent Owing

To: (Landlord's Name)

### Re: Address of the Rental Unit

Unit /Apt. /Suite:	Street Address:	
Municipality (City, Town, etc):		Postal Code:

I am the spouse of the tenant who vacated the rental unit identified above. I want to stay in the rental unit and become the tenant, and I agree to pay the amount of rent that is lawfully owing for the rental unit.

\_\_\_\_\_  
Name of Spouse

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**You must return this signed notice to the landlord no later than 15 days after the landlord gives it to you. Remember to make a copy of the notice for yourself.**