

# INFORMATION BULLETIN HEALTH, SAFETY, HOUSING AND BUILDING STANDARDS

## IMPORTANT

The contents of this information bulletin are for information purposes only and do not replace the legislation.

## RESPONSIBILITIES REGARDING STANDARDS

Landlords have a legal obligation to comply with all health, safety, housing and building standards and any other legal requirement for their rented premises. At the same time, tenants must not change the rented premises in any way that interferes with the landlord's obligations.

## INVESTIGATION

A landlord or tenant with a complaint regarding health, safety, housing and building standards may submit a [Landlord Application for Assistance](#) or a [Tenant Application for Assistance](#) to the Office of the Rentalsman. An assigned Rentalsman will conduct a thorough investigation. The person with the complaint is responsible for providing evidence. During the investigation, the Office of the Rentalsman will consult with other governmental departments if required, such as Public Health, Public Safety and Environment, as well as other stakeholders, such as police services, the Fire Marshal and municipal inspectors.

## RENTALSMAN'S AUTHORITY

At the end of the investigation, the Rentalsman may issue a Compliance Order to have the problem(s) corrected. If other professionals, such as municipal building inspectors, electrical inspectors, public health inspectors or the Fire Marshal become involved, they may also give any order that they are allowed to give under their own governing legislation or authority.

### Landlord fails to comply:

If a landlord fails to comply with a Compliance Order issued by a Rentalsman, the Rentalsman has the authority to:

- a) ask any affected tenants to pay their rent to the Rentalsman to cover the landlord's obligations, or
- b) at the request of the tenant, give a Notice of Termination to the landlord to end the tenancy on a day specified by the Rentalsman, provided the Rentalsman is satisfied that the landlord is unwilling or financial unable to comply with the obligations.

If the tenancy is ended by the Rentalsman because the landlord is unwilling or financially unable to comply with the obligations, the Rentalsman may order the landlord to pay a sum of money to the tenant. The sum cannot be more than one month's rent. The money would be compensation for any reasonable expenses that the tenant takes on because of the landlord's failure to comply with the order.

If the Rentalsman decides that the premises were uninhabitable because of the landlord's failure to comply, the Rentalsman may order the landlord to refund some rent money to the tenant. This money cannot be more than one month's rent.

### Tenant fails to comply:

If the tenant fails to comply, the landlord may ask a Rentalsman to issue a Notice to Quit on the tenant. A Notice to Quit will only be issued if the Rentalsman determines that the tenant interfered with the landlord's obligations of health, safety, housing and building standards.

## CAUTION

Tenants have the legal right to ask that their landlord complies with all health, safety, housing and building standards and any other legal requirement with regard to any rented premises without fear of retaliation from the landlord.

A tenant who makes a complaint to their landlord may seek protection from the Office of the Rentalsman if they receive a Notice of Termination. They may seek this protection at any time up to one year from the day the complaint was made and ending one year after that day provided that the application is made to the Office of the Rentalsman within fifteen days of receiving the Notice of Termination.

The landlord must prove that the Notice of Termination was not given because of the tenant's complaint. If he/she is unable to do so, the Rentalsman may decide that the Notice of Termination is not allowed.

## ADDITIONAL INFORMATION

For additional information, visit the Office of the Rentalsman website at [www.snb.ca/irent](http://www.snb.ca/irent) or contact one of their offices.

## OFFICE OF THE RENTALSMAN

City Centre  
PO Box 1998  
432 Queen St.  
Fredericton, NB  
E3B 5G4  
Tel: 506-453-2557  
Fax: 506-457-7289

King's Square North  
PO Box 5001  
15 King's Square  
North  
Saint John, NB  
E2L 4Y9  
Tel: 506-658-2512  
Fax: 506-658-3096

Assumption Place  
PO Box 5001  
770 Main Street  
Moncton, NB  
E1C 8R3  
Tel : 506-856-2330  
Fax : 506-856-3177

Executive Tower  
PO Box 5001  
161 Main St.  
Bathurst, NB  
E2A 3Z9  
Tel: 506-547-2522  
Fax: 506-547-2106

City Centre Mall  
PO Box 5001  
157 Water St.  
Campbellton, NB  
E3N 3H5  
Tel: 506-789-2210  
Fax: 506-789-4866

Carrefour  
Assomption  
PO Box 5001  
121 de l'Église St.  
Edmundston, NB  
E3V 3L3  
Tel: 506-735-2000  
Fax: 506-735-2382

**TELESERVICES - 1-888-762-8600 (TOLL FREE)**