



DISPUTE RESOLUTION PROCESS REVISION OF NOTICES: RENT INCREASE OR ALTERATION TO A TENANCY AGREEMENT

IMPORTANT

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

DISPUTE RESOLUTION

The preferred dispute resolution process for a long-term or a mobile home site tenant who has received a Notice of Rent Increase or any tenants who have Notice of Alteration of the lease should follow these five steps. Tenants are required to initiate steps 1 to 3.

Problem/Steps	Preferred Course of Action
<p>Step 1 – Dialogue Tenant received a Notice of Rent Increase or Notice of Alteration that he/she does not agree to</p>	<p>The tenant should talk to the landlord and let the landlord know that he/she does not agree with the notice received. The tenant should try to understand the landlord's position and arguments.</p>
<p>Step 2 - Formal (Written) Complaint Tenant still does not agree with the notice received</p>	<p>The tenant should write to the landlord stating that he/she does not accept the terms of the Notice received.</p> <p>The letter to the landlord should contain the following: date, landlord's and tenant's full names and addresses, specific details of the Notice of Rent Increase or Notice of Alteration which the tenant does not agree to, the time when a confirmation is requested, and the signature of the tenant.</p>
<p>Step 3 - Tenant's Application for Assistance to the Office of the Rentalsman No reply received from the landlord or no agreement</p>	<p><u>Within 15 days of receiving the Notice, the tenant</u> may submit an Application for Assistance to the Office of the Rentalsman.</p> <p>The Office of the Rentalsman will assign a Rentalsman to review the notice the tenant has received. In the Application for Assistance, the tenant will need to provide the following evidence to fully describe the case:</p> <p>Required evidence:</p> <ul style="list-style-type: none"> • a copy of the lease • a copy of either the Notice of Rent Increase or the Notice of Alteration <p>Optional evidence:</p> <ul style="list-style-type: none"> • a copy of the written complaint to your landlord • any pictures or other evidence that would help state the case • witnesses statements including telephone numbers
<p>Step 4 - Rentalsman's Investigation</p>	<p>The Rentalsman will review the notice and ask the landlord for the following facts:</p> <p>For a Notice of Rent Increase:</p> <ul style="list-style-type: none"> • the notice was served, in writing, within the required period • the validity of the notice: <p><u>Fixed-Term Tenancies:</u> According to agreed terms under the lease</p>

Problem/Steps	Preferred Course of Action
<p align="center">Step 4 - Rentalsman's Investigation (continued)</p>	<p><u>Long-Term Tenancies:</u></p> <ul style="list-style-type: none"> the Notice of Rent Increase is a document separate from any other notice or receipt given to the tenant the requested rent increase is applied by the same percentage for each unit in the same building the requested rent increase is reasonable in relation to rent charged for comparable units in the same geographic area <p><u>Mobile Home Sites:</u></p> <ul style="list-style-type: none"> the Notice of Rent Increase is a document separate from any other notice or receipt given to the tenant the requested rent increase is applied by the same percentage for each site in the mobile home park or in the same area of the park the requested rent increase is comparable to sites in the same geographic region or area of the mobile home park <p>For a Notice of Alteration:</p> <ul style="list-style-type: none"> The notice was served, in writing, identifying the terms that are to be changed and within the required period The validity of the notice served do not conflict with any part of the Act <p><u>Long-Term Tenancies or Mobile Home Site Tenancies:</u></p> <ul style="list-style-type: none"> the requested changes must be reasonable and fair
<p align="center">Step 5 - Dispute Resolution</p>	<p>The assigned Rentalsman will make a decision based on the law and the evidence provided by both parties. The Office of the Rentalsman tries to solve tenancy disputes within 30 days.</p> <p>If a tenant is not satisfied with a Rentalsman's decision, he/she can submit an appeal in writing to the Chief Rentalsman, <u>within 7 days of receiving the Rentalsman's decision</u>. The Chief Rentalsman will review the case based on the same criteria.</p> <p>The Rentalsman decision can be appealed by submitting a Notice of Application to a judge of the Court of Queen's Bench of New Brunswick, within seven days after being notified.</p>

ADDITIONAL INFORMATION

For additional information, visit the Office of the Rentalsman website at www.snb.ca/irent or contact one of their offices.

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