

Form 8
The Residential Tenancies Act, 2006
(Section 58(1))
NOTICE TO VACATE

To _____
Tenant(s)

I hereby give you notice to deliver up possession of the premises described as:

that you hold of me as tenant, on the _____ day of _____, 20____ OR on the last day of the period of your tenancy next following the giving of this notice.

The reason for giving this notice is as follows: _____

This notice is also to advise that you may be held responsible for any and all rent loss suffered as a result of your breach of the tenancy agreement.

Dated at _____ in the Province of Saskatchewan, this _____ day
of _____, 20_____

(Landlord and/or Agent)

(Name of Landlord/Agent – Please Print)

(Address of Landlord – Please Print)

If a Tenant disagrees with the Notice to vacate, they must provide written notice to the landlord disputing the notice within 15 days of receipt of the Notice to Vacate or they are deemed to have accepted that the tenancy ends.

DISPUTE NOTICE TO LANDLORD'S CLAIM TO END TENANCY

I/We, _____ tenant/s of the
landlord,

_____ hereby dispute the termination notice served on us by the landlord.

The landlord must apply to the Office of Residential Tenancies for a hearing to resolve the dispute.

Date: _____

Tenant's Signature: _____

Evictions requiring Notice of One Calendar Month

1. Complete **Form 8, 8a or 8b – NOTICE TO VACATE**, (whichever form applies to your situation) and keep a copy.
2. Serve the tenant, which means get a copy to the tenant by either:
 - a. Handing it directly to the tenant (personal service)
- OR -
 - b. Both taping a copy to the front door of the rental property and mailing a copy to the tenant through the post office (you can not just put it in their mailbox)
- OR -
 - c. sending the document electronically*

Tenants must get notice before the end of a calendar month to be effective at the end of the following month.

Personal service is always better, as the person who delivered the notice directly knows and can say that the tenant got the notice. Notices served by posting on the door and mailing or electronically delivery are effective when the tenant actually gets the notice. Mail is deemed to be delivered three days after it is posted, if delivery is not disputed.

If the tenant doesn't dispute the reason for eviction within 15 days, the tenant is deemed to have accepted the notice to vacate and must move out. You may apply for a possession order based on an undisputed notice to vacate. You can apply before the end of the tenancy if you are concerned that the tenant won't move out, or wait until after the termination date to see if the tenant leaves.

If the tenant disputes the notice to vacate, the tenant must complete the dispute notice at the bottom of the form and return it to you within 15 days. If the tenant does so, the notice to vacate is of no force or effect unless you apply for a possession order and establish the validity of the reason for the notice to vacate at a hearing.

With your application, provide:

1. a copy of the **notice to vacate** to show exactly what was given to the tenant, and
2. a **certificate of service**, signed by the person who served the tenant, and completed to say how the tenant was served with the notice to vacate.

The Office will schedule a hearing and provide you with a notice of hearing showing the time and place of the hearing. Write the same reasons for eviction on the hearing notice. Deliver a completed copy of the hearing notice to the tenant to let them know what you want, and when and where they should appear for the hearing. Serve the notice of hearing in the same manner as described above for the notice to vacate.

If the tenant does not move out as required, only court officials can actually put the tenant out. You need an order for possession that court officials will enforce.

*"electronically" means:

- the document is substantially in the same form as the required document,
- it is accessible by the other party, and

- it can be saved for future reference.

So, for example, a document sent in a common format such as ".pdf", ".doc", or ".rtf" that can be readily opened, read and saved and conveys the same information as the required document may be delivered by email. Electronic transmission by fax will also suffice. Electronically transmitted documents are deemed to be received on the next business day after the document is sent.