



Evictions – Information for Tenants

Your landlord can evict you for a valid reason. Valid reasons for eviction are:

- Not paying your rent
- Breaking a condition, or rule, that is part of your rental agreement
- Landlord's personal use, renovations, changing it to non-residential or demolition

Eviction Notice

Your landlord must give you a [Form 4 – Notice of Termination by Lessor of Rental Agreement](#) to evict you. If you get an eviction notice that is not on this form, it is not valid.

Your landlord must tell you why you are being evicted. They can only evict you for one of the valid reasons. They must also tell you the date you must move out by.

The amount of notice you get depends on the reason for eviction:

- For not paying your rent, you must get a minimum of 20 days' notice.
- For breaking a condition, or rule, that is part of your rental agreement, you must get a minimum of 30 days' notice.
- For your landlord or a purchaser's personal use, renovations, changing it to non-residential or demolition, you must get a minimum of 60 days' notice.

Removing an Eviction Notice

You can always request that an eviction notice be set aside or removed. How you make this request will depend on why you are being evicted.

For not paying your rent, you must pay your rent within 10 days of receiving the eviction notice.

For breaking a condition, or rule, that is part of your rental agreement, you must file [Form 6 – Application by Lessee to Set Aside Notice of Termination](#) within 10 days of receiving the eviction notice. You must file this form with the Office of the Director of Residential Rental Property.

For your landlord's personal use, renovations, changing it to non-residential or demolition, you must file [Form 6 – Application by Lessee to Set Aside Notice of Termination](#) within 20 days of receiving the eviction notice. You must file this form with the Office of the Director of Residential Rental Property.

If you file a Form 6, a hearing will be scheduled. You have the right to a hearing. If your hearing is scheduled after the date you are supposed to be evicted, your eviction date will be delayed.



Not Moving Out

If you do not move out on the eviction date, and do not apply to remove the eviction notice, your landlord must apply to get an order to have you removed from the property. Your landlord must file a [Form 2 – Application for Enforcement of Statutory or Other Conditions of Rental Agreement](#) with the Office of the Director of Residential Rental Property. If your landlord files this application, a hearing will be scheduled. At the hearing, your landlord must share evidence that you were evicted for a valid reason, and you will not move out.

After the hearing, the Director will issue an order. If the order says you must move out, it will include the date that you must move out by. The order will also tell you the date and time that the Sheriff may come to evict you. If the order says you do not have to move out, you can stay in your rental unit.

COVID-19 and Rental Hearings

The Office of the Director of Residential Rental Property, or the Director, is the administrative tribunal that holds rental hearings. An administrative tribunal acts like a court. They can make decisions and give orders about rental issues.

The Director has postponed all rental hearings until at least April 6, 2020. A hearing must take place for an order to be issued. Your landlord cannot force you to move out without an order.

If you have questions about a rental hearing or filing an application, you can contact the Office of the Director of Residential Rental Property at 902-892-3501 or by e-mailing rentalinquiries@irac.pe.ca.

Tenant Support Centre

The Tenant Support Centre is a project of Community Legal Information, funded by the PEI provincial government. We assist tenants on Prince Edward Island by providing legal information, referrals, as well as support during the rental hearing process. We also deliver workshops on tenants' rights and responsibilities. Check out www.rentingpei.ca for more information.

This information is current as of March 24, 2020 at 4:00pm ADT.