



CLEO

Community Legal Education Ontario
Éducation juridique communautaire Ontario

MOVING OUT

CANADIAN LANGUAGE BENCHMARK 3/4

This activity kit, designed to teach newcomers to Ontario in Adult ESL and LINC classes about their legal rights and responsibilities, includes:

<u>Introductory notes for instructors</u>	<u>1</u>
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Visit www.cleo.on.ca to download these pages and to find other legal information.

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MOVING OUT

INTRODUCTORY NOTES

Context outcomes Understand that notice must be given in writing and on time. Learn how to give notice in writing.

CLB outcomes

-  Get key information and important factual details in a description.
-  Get key information and important detail of one- to two-paragraph texts.

Activities *Moving out: Giving notice to your landlord*

Giving notice: Mary's story

Giving notice: Diana's letter

Free companion resource
Moving out

The information in this activity kit is based on the CLEO publication called *Moving out*. Read the publication before using the activity kit, and keep it on hand for reference as you guide learners through the activities. You can find it on CLEO's web site at www.cleo.on.ca. To order free copies for your class, you can use the online order form or call **416-408-4420, extension 33**.

Please take note

The information in these activities applies to most but not all tenants. The *Residential Tenancies Act (RTA)* applies to most rental housing in Ontario. Some rental housing is not covered. For example, a tenant who shares a kitchen or bathroom with the owner or a close family member of the owner might not be covered. Learners should get legal advice if they have concerns.

The information in these activities is not a substitute for legal advice. Every situation is different so learners with concerns should get legal help. Tenants can contact their local community legal clinic. To find the nearest community legal clinic, check Legal Aid Ontario's web site at www.legalaid.on.ca or phone **1-800-668-8258** (toll-free). In Toronto, phone **416-979-1446**.

Moving out: Giving notice to your landlord – Part 1

What do you already know about giving notice to your landlord?

A. Read the sentences and circle T or F (True or False).

1. Giving proper notice means telling your landlord in writing that you are moving. T F
2. You need to write your new address in your notice. T F
3. You don't need to sign the notice. T F
4. You don't need to say why you're moving. T F
5. It's important to give notice on time. T F
6. Write two things you must include when you give notice.

B. Listen to a text about giving notice and check your answers.

***Moving out:* Giving notice to your landlord – Part 2**

This text is an excerpt from the CLEO booklet, *Moving out*. Use this text to check your answers to the true/false questions in Part 1.

Tenants must give proper notice when they want to move. This means that you must tell your landlord in writing that you are moving. You must do this to protect yourself from owing money to your landlord after you move out.

You can get the form to give notice from the Landlord and Tenant Board.

It is best to use the form. If you write a notice yourself, the notice must include:

- the address of the place you are moving out of,
- the date you are moving,
- your signature, and
- the date you signed the notice.

You do not need to give a reason why you are moving.

For your notice to be legal, you must make sure that:

- you choose the right date to end your tenancy, and
- you give notice to your landlord on time.

Giving notice: Maria's story



A. Read the story.

Maria lived in her apartment for 3 years. She signed a one-year lease when she first moved in, and she renewed it twice. Maria's latest lease **was up** on July 31, 2009. She decided not to **renew** her lease this time. She decided to stay in her apartment as a monthly tenant and look for a place closer to work.

In September, Maria found a new apartment. She decided to **give notice** to her landlord. She downloaded a form from the Landlord and Tenant Board web site and filled it out. She **made sure** that she made a copy of the completed form.

Maria knew she needed to give **at least** 60 days notice. She handed her landlord the form on September 29, 2009. She kept the copy **for her records**. She wrote on her copy the date she gave the form to the landlord.

B. Read part of the form Maria used.

To: (Landlord's name and address)	From: (Tenant's name and address)
<u>T. Smith Holdings Inc.</u>	<u>Maria Bellotto</u>
<u>999 Somewhere Ave.</u>	<u>54 Anywhere St., Apt. 302</u>
<u>Mississauga, Ontario L7L 6J5</u>	<u>Mississauga, Ontario L5M 5M5</u>
Address of Rental Unit: <u>54 Anywhere St., Apt. 302</u>	
I am giving notice that I am terminating my tenancy .	
The last day of my tenancy will be <u>30/11/2009</u> . (day/month/year)	
I will move out of the rental unit on or before this date.	
First Name: <u>Maria</u>	
Last Name: <u>Bellotto</u>	
Phone Number: <u>(905) 603-3333</u>	
Signature: <u>Maria Bellotto</u>	Date: <u>September 29, 2009</u>

C. Vocabulary: Discuss the meaning of these words and phrases. Use a dictionary if necessary.

lease was up _____	at least _____
renew _____	for her records _____
give notice _____	terminating my tenancy _____
made sure _____	on or before _____

D. Discuss Maria's story.

1. Why do you think Maria didn't renew her lease?
2. Why was it important for Maria to make a copy of the form?
3. Why do you think Maria wrote the date on her copy of the form?
4. How many days notice did Maria give?
5. What have you learned about giving notice that you didn't already know?

Giving notice: Diana's letter

Diana Graznova lives in the same apartment building as Maria. She lives in Apt. 404. Diana has decided to move too. She is a monthly tenant. Here is the letter she gives her landlord.

October 3, 2009

Dear landlord,

I am writing to give you notice that I am ending my tenancy and moving out of my apartment on October 31, 2009. I'm moving because I want to live closer to my brother.

Thanks for everything!

Diana

A. Answer the questions about Diana's letter.

1. Is Diana's letter complete? If not, what is missing? _____

2. Did Diana follow all the rules for giving notice? Explain. _____

3. Is there anything in Diana's letter that is not necessary? _____

4. Is there anything else that Diana can change to improve her letter? _____

5. Do you have any other comments about Diana's letter? _____

B. Make a checklist of things to remember when giving notice.

C. Compare Diana’s letter and the form.

1. In Diana’s letter, she writes: “I am ending my tenancy.” What phrase in this form has the same meaning?

2. In Diana’s letter, she writes that she will move out of her apartment. What phrase in the form has the same meaning?

3. What information that is missing from Diana’s letter does she need to fill out the form?

To: (Landlord's name and address)	From: (Tenant's name and address)
_____	_____
_____	_____
_____	_____
Address of Rental Unit: _____	
I am giving notice that I am terminating my tenancy .	
The last day of my tenancy will be _____ . (day/month/year)	
I will move out of the rental unit on or before this date.	
First Name: _____	
Last Name: _____	
Phone Number: _____	
Signature: _____	Date: _____
_____	_____

D. Fill out the form for Diana. First, answer these questions.

1. If Diana wants to move out on October 31, 2009, what is the last day she can give notice?
a) August 31 b) September 1 c) September 2 d) September 30

2. Diana needs to add 5 more days if she mails the form. If she wants to move out on October 31, 2009, what is the last day she should mail the form?
a) August 25 b) August 27 c) August 29 d) September 1

3. It is October 3, 2009. If Diana pays her rent on the first of the month, what termination date can she legally give?
a) October 31 b) November 30 c) December 1 d) December 31

E. Writing a letter to give notice.

It is difficult for some people to get a form on time. It is better to write a letter on time than to use a form and give notice late.

Write a second draft of Diana’s letter. Use your checklist to make sure you include everything you need.

TEACHING NOTES

Curriculum connections

LINC/Adult ESL:

Theme: At Home in Our Community & World

Topic: Housing Problems

Theme: Canadian Law

Topic: Landlords & Tenants

Theme: Community & Government Services

Topic: Counselling & Advocacy

Moving out: **Giving notice to** **your landlord** **(pages 2-3)**

Elicit what learners know about moving. Clarify: move, move in, move out. Discuss why people move, what they need to do when they move, and who they need to tell. Explain that telling your landlord that you are moving is called “giving notice.”

The listening text (**Part 2**, on page 3) is adapted from the CLEO booklet *Moving out*, pages 1-2.

Suggested procedure:

- a. Hand out **Part 1** (page 2), or write the questions on the board. Check comprehension. Give learners time to answer the questions before proceeding with **Part 2**.
- b. Instructor reads the listening text, **Part 2** (page 3), at least twice. You may wish to pre-record this text.
- c. Hand out **Part 2** and learners can check their answers. Discuss.

A. Answers:

1. T 2. F 3. F 4. T 5. T
6. address, date of move, signature, date of notice

Giving notice: **Maria’s story** **(page 4-5)**

Point out that Maria must give at least 60 days’ notice because she pays her rent by the month. Make sure learners understand the importance of giving notice on time. “On time” is usually at least 60 days before the tenant’s moving date, and the moving date must be the last day of a rental period or term.
Please note: The choice of moving date is very important. In the example in the activity, if Maria gave December 1, 2009 as her moving date, she could be liable for an extra month’s rent.

Maria makes a copy of the form after she fills it out. Make sure learners understand the importance of doing this.

The form in section B of this activity is based on part of Landlord and Tenant Board Form N9, Tenant's Notice to Terminate the Tenancy. To see the complete form, go to www.ltb.gov.on.ca

For additional practice, learners can work in pairs and write a conversation in which Maria tells a friend about giving notice, using the vocabulary in section C.

**Giving notice:
Diana's letter
(pages 6-8)**

This activity includes reading and writing practice. It reinforces the importance of giving notice correctly by showing learners what not to do. Point out that it would be better for Diana to use the form to give notice.

A. Answers:

1. *No. She has omitted her address, her last name and her signature.*
2. *No. She didn't give notice on time.*
3. *Yes. She doesn't need to give a reason why she is moving.*
4. *She needs to include the missing information, and she needs to calculate her termination date correctly.*
5. *Answers vary. This is a good time to mention that it is preferable to use the form if possible.*

B. The checklist activity could be done in pairs and then negotiated with the rest of the class.

C. Answers:

1. *I am terminating my tenancy.*
2. *I will move out of the rental unit.*
3. *Landlord's name and address, Tenant's full name and address, Address of the Rental Unit, Phone number*

D. Answers:

1. *b*
2. *b*
3. *d*

E. Writing practice. **Please note:** It is best to use the correct form to give notice, but it may not always be possible. It is more important to give notice on time than to use the correct form, provided the notice contains all the essential information and is signed.

Additional practice: To give learners more exposure to the terminology used in a Landlord and Tenant Board form, hand out **Tenant's notice to terminate the tenancy**. You will find it at www.ltb.gov.on.ca >Forms>Notices of Termination>Form N9