

Does your landlord or a buyer want to move in?

A landlord can evict you if they, a close family member, or a caregiver wants to move into your place. You can also be evicted if the place is sold and the buyer wants to move in. The buyer can also be called the “purchaser”.

You can be evicted even if you always pay rent on time and have never caused any problems.

If you get a notice for your landlord moving in, read the information at stepstojustice.ca/N12-landlord. If a buyer is moving in, read stepstojustice.ca/N12-buyer.

When can a landlord or buyer use this notice?

A landlord or buyer can only use the Form N12 if one of these people plan to move in:

- the buyer or the landlord
- the buyer or landlord’s spouse, parents, or children
- the buyer or landlord’s parents-in-law or stepchildren
- a caregiver for any of the above people.

And the person moving in must swear a statement that they plan to live in the rental unit full-time for at least one year. The landlord or buyer should file this statement with the LTB when they apply to evict you.

Can I fight the notice to move out?

Yes. The landlord or buyer cannot force you to move until they get an eviction order from the LTB. The LTB will hold a hearing to decide if they will give this eviction order. The landlord or buyer will have to prove that they followed all the right steps to evict you. And they must show the LTB that the person moving in honestly plans to live there for at least one year.

You can tell the LTB why you think you should not be evicted.

For example, you might want to challenge the notice if:

- you do not believe the person is really going to move in
- the person moving in is not the landlord, buyer, close family member, or a caregiver
- there are problems with the Form N12
- your landlord or buyer has given other Form N12 notices in the past and never moved in
- your personal situation makes it very difficult for you to move

This is not a complete list of the reasons you can use to challenge the notice. It is a good idea to get legal help if you plan to fight the eviction.

Do I get compensation if I get this notice?

Yes. The person who gave the notice must:

- pay you one month's rent, or
- offer you another unit that is acceptable to you.

They must give you this compensation no later than the termination date on the form.

My landlord is offering me extra money if I don't fight the notice. Can they do this?

Yes, your landlord can offer you extra money. And you can decide if you want to accept it. You might want to think about how much rent you will have to pay elsewhere if you agree to move early.

Can my landlord ask me to sign a Form N11? They have not given me a Form N12.

A Form N11 is an agreement to end your tenancy. Your landlord can ask you to sign one but you should only sign if you want to.

It is a good idea to wait for your landlord to give you a Form N12 instead of signing a Form N11. If you sign the Form N11, you might not get the compensation the law requires for Form N12 notices. And you might not be able to file a complaint with the LTB if the person never moves in.

What can I do if the person does not move in?

If you moved out and the person does not move in, you might be able to apply to the LTB to get more compensation. You must apply within one year after the day you moved out. The application you use is the Form T5.

The LTB can order the landlord or buyer to pay:

- your moving and storage costs
- "general compensation" up to the value of your last year of rent
- the difference in rent for up to one year

There are other things you can ask for. It is a good idea to get legal help before you apply.

How can I find out if the person moved in?

There are several ways to find out if the person moved in. For example, you can:

- check if the place was listed for rent or for sale
- talk with your old neighbours
- check if the place looks lived in

The person does not have to move in right after they evict you. They can take a reasonable amount of time to do things like repairs before they move in. And sometimes, the person does not have to move in at all. They might be able to prove that, while they honestly planned to move in when they evicted you, something unexpected stopped them from moving in.

Where can I get legal help?

If you have a low income, your community legal clinic can help. To find your local clinic, contact Legal Aid Ontario at **1-800-668-8258** or legalaid.on.ca.

You may also be able to get free legal help from Pro Bono Ontario's legal advice hotline at **1-855-255-7256** or from the Canadian Centre for Housing Rights at **1-800-263-1139**.



Visit stepstojustice.ca for more information about housing law. This is general information for people in Ontario, Canada. It is not intended to be used as legal advice.

Vous pourriez avoir droit à des services en français devant les tribunaux ou auprès d'organismes gouvernementaux. Visitez justicepasapas.ca/droits-linguistiques-des-francophones.