

Abandonment of Residential Premises

RTA 2018: Sections 31

Abandonment occurs when a tenant stops paying rent and vacates the rental unit without giving proper notice to the landlord. Rent must be in arrears before the landlord has a right to post a notice of abandonment.

A tenant who is going to be away for an extended period of time should let the landlord know and make arrangements to have the rent paid. Otherwise, a landlord may believe the tenant has abandoned their possessions and moved out of the rental unit.

When a landlord believes the tenant has abandoned the rental unit, before entering the premises and taking back possession of the unit, the landlord is required to post a notice 24 hours before entering the unit. This notice must state the following:

- the landlord's belief that the tenant has abandoned the residential premises;
- the landlord's intention to enter the residential premises for the purpose of taking possession unless the tenant notifies the landlord, before the time set out in the notice, that the tenant has not abandoned the residential premises; and
- the date and time when the landlord will enter the residential premises.

Where the tenant responds to the notice and notifies the landlord that the residential premises has not been abandoned, the landlord may not enter the residential premises.

The form identified below and located in Appendix A of the Guide for Landlord and Tenants may be used to issue a notice of abandonment.

Form: [Landlord's Notice of Abandonment](#)