

## Information about Eviction for Renovation or “N13”

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A N13 eviction notice does **NOT** mean you must leave your unit immediately or by the eviction date listed on the notice. It is just a notice that the process has started at the Landlord Tenant Board (LTB).

These are **NOT legal eviction notices**: letters, emails, texts, verbal, pay-outs, or threats.

If you decide to challenge the eviction, **your landlord can only legally evict you following a hearing at the LTB** where the Board makes a legal order for eviction. This process may take several months!

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### **A. What is an eviction for renovation and how can my landlord pursue this eviction legally?**

This occurs when your landlord is planning to renovate or repair a unit or convert a unit into a non-residential, commercial space. An offer of compensation or a “buy-out” from your landlord to encourage you to move out is an offer **you are not obligated to accept**.

According to the Residential Tenancies Act, a **legal eviction for renovations** begins when your landlord gives you an **N13 eviction notice** or a “Notice to End your Tenancy Because the Landlord Wants to Demolish the Rental Unit, Repair it, or Convert it to Another Use.”

N13s are legal forms issued by the Landlord Tenant Board (LTB) that must share information about the proposed renovation and eviction. The following examples are **NOT legal eviction notices**: letters, emails, texts, verbal discussions, pay-outs, or threats. An N13 eviction notice must include:

- Specific details of **the work plan, dates, and a description of the work they will do**.
- **Whether your landlord has obtained or will obtain any permits** or other authorization required to do the work.

If you do not challenge the eviction, **the termination date** or the date you move out, which is on the first page of the N13 notice, must be at least **120 days (approximately 4 months) after the landlord gives you the notice and no sooner than the end date on your lease**.

If you wish to move out earlier than the 120 days, you can give the landlord **10 days written notice** that you intend to move out by giving your landlord an **N9** notice or “Tenant’s Notice to end the Tenancy” (all forms are available on the Landlord and Tenant Board website).

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### B. What are my options when responding to an N13 eviction notice?

**(1) You might decide to challenge the eviction.** Challenging an eviction means you must present evidence at a hearing at the Landlord Tenant Board that you believe contradicts your landlord’s claims in the N13. You might challenge an N13 if you believe:

- The landlord is not going to do the work they say they are planning;
- The work can be done without you moving out;
- The landlord will not be able to get a building permit;
- The work the landlord wants to do does not require a building permit;
- The N13 notice is not valid;
- You need more time to move out (e.g., because of a disability or having children).

You will receive a Notice of Hearing from the Landlord Tenant Board with a copy of the landlord’s eviction application. Contact Legal Services if you need support to prepare for the hearing.

**Remember, you may legally reside in your unit while challenging the N13** up until the Board orders an eviction.

**(2) You might move out on or before the proposed eviction date.** You might decide to leave permanently or let your landlord know you intend to return to your unit. Taking this route means **you are entitled to compensation or an alternative unit.** When applicable, your landlord must provide this compensation on or before the proposed eviction date in the N13. According to the Landlord Tenant Board:

- Your landlord must pay you the equivalent of three months’ rent if the building has 5 or more units.
- Your landlord must pay you one month’s rent if where you live has less than 5 units.
- Your landlord does not have to pay you this money if they offer you another unit that you find acceptable.

You have what is called “**the right of first refusal**” to move back into the renovated rental and continue paying the same rent as before. You must do the following:

- Let your landlord know **in writing** that you want to return to your unit following the renovation **before** you vacate your unit.
- Inform your landlord of any **changes to your address or contact information.**

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**Contact Waterloo Region Community Legal Services** in any case of eviction, whether you received a formal eviction notice or not. Do not sign any forms or documents given by your landlord before contacting Legal Services. Visit [www.wrcls.ca](http://www.wrcls.ca) and/or call 519-743-0254.

Consider contacting **Property Standards and Fire Safety** if the renovations have started in the building while you are still living there and the living conditions are unsanitary or unsafe.

- Kitchener Property Standards: 519-741-2345
- Kitchener Fire Safety: 519-741-2495